



Senate

General Assembly

File No. 239

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Substitute Senate Bill No. 950

Senate, March 28, 2013

The Committee on Energy and Technology reported through SEN. DUFF of the 25th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO
AND REPEAL OF OBSOLETE PROVISIONS OF ENERGY AND
TECHNOLOGY STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (25) of subsection (a) of section 16-1 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (25) "Telecommunications company" means a person that provides
5 telecommunications service, as defined in section 16-247a, as amended
6 by this act, within the state, but shall not mean a person that provides
7 only (A) private telecommunications service, as defined in section
8 16-247a, as amended by this act, (B) the one-way transmission of video
9 programming or other programming services to subscribers, (C)
10 subscriber interaction, if any, which is required for the selection of
11 such video programming or other programming services, (D) the
12 two-way transmission of educational or instructional programming to
13 a public or private elementary or secondary school, or a public or

14 independent institution of higher education, as required by the
15 [department] authority pursuant to a community antenna television
16 company franchise agreement, or provided pursuant to a contract with
17 such a school or institution which contract has been filed with the
18 [department] authority, or (E) a combination of the services set forth in
19 subparagraphs (B) to (D), inclusive, of this subdivision;

20 Sec. 2. Section 16-8 of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective from passage*):

22 (a) The Public Utilities Regulatory Authority may, in its discretion,
23 delegate its powers, in specific cases, to one or more of its directors or
24 to a hearing officer to ascertain the facts and report thereon to the
25 authority. The authority, or any director thereof, in the performance of
26 its duties or in connection with any hearing, or at the request of any
27 person, corporation, company, town, borough or association, may
28 summon and examine, under oath, such witnesses, and may direct the
29 production of, and examine or cause to be produced and examined,
30 such books, records, vouchers, memoranda, documents, letters,
31 contracts or other papers in relation to the affairs of any public service
32 company as it may find advisable, and shall have the same powers in
33 reference thereto as are vested in magistrates taking depositions. If any
34 witness objects to testifying or to producing any book or paper on the
35 ground that such testimony, book or paper may tend to incriminate
36 him, and the authority directs such witness to testify or to produce
37 such book or paper, and he complies, or if he is compelled so to do by
38 order of court, he shall not be prosecuted for any matter concerning
39 which he or she has so testified. The fees of witnesses summoned by
40 the [department] authority to appear before it under the provisions of
41 this section, and the fees for summoning witnesses shall be the same as
42 in the Superior Court. All such fees, together with any other expenses
43 authorized by statute, the method of payment of which is not
44 otherwise provided, shall, when taxed by the authority, be paid by the
45 state, through the business office of the authority, in the same manner
46 as court expenses. The authority may designate in specific cases a
47 hearing officer who may be a member of its technical staff or a member

48 of the Connecticut Bar engaged for that purpose under a contract
49 approved by the Secretary of the Office of Policy and Management to
50 hold a hearing and make report thereon to the authority. A hearing
51 officer so designated shall have the same powers as the authority, or
52 any director thereof, to conduct a hearing, except that only a director of
53 the authority shall have the power to grant immunity from
54 prosecution to any witness who objects to testifying or to producing
55 any book or paper on the ground that such testimony, book or paper
56 may tend to incriminate him or her.

57 (b) (1) The authority may, within available appropriations, employ
58 professional personnel to perform management audits. The authority
59 shall promptly establish such procedures as it deems necessary or
60 desirable to provide for management audits to be performed on a
61 regular or irregular schedule on all or any portion of the operating
62 procedures and any other internal workings of any public service
63 company, including the relationship between any public service
64 company and a related holding company or subsidiary, consistent
65 with the provisions of section 16-8c, provided no such audit shall be
66 performed on a community antenna television company, except with
67 regard to any noncable communications services which the company
68 may provide, or when (A) such an audit is necessary for the authority
69 to perform its regulatory functions under the Communications Act of
70 1934, 47 USC 151, et seq., as amended from time to time, other federal
71 law or state law, (B) the cost of such an audit is warranted by a
72 reasonably foreseeable financial, safety or service benefit to subscribers
73 of the company which is the subject of such an audit, and (C) such an
74 audit is restricted to examination of the operating procedures that
75 affect operations within the state.

76 (2) In any case where the authority determines that an audit is
77 necessary or desirable, it may (A) order the audit to be performed by
78 one of the management audit teams, (B) require the affected company
79 to perform the audit utilizing the company's own internal
80 management audit staff as supervised by designated members of the
81 authority's staff, or (C) require that the audit be performed under the

82 supervision of designated members of the authority's staff by an
83 independent management consulting firm selected by the authority, in
84 consultation with the affected company. If the affected company has
85 more than seventy-five thousand customers, such independent
86 management consulting firm shall be of nationally recognized stature.
87 All reasonable and proper expenses of the audits, including, but not
88 limited to, the costs associated with the audit firm's testimony at a
89 public hearing or other proceeding, shall be borne by the affected
90 companies and shall be paid by such companies at such times and in
91 such manner as the authority directs.

92 (3) For purposes of this section, a complete audit shall consist of (A)
93 a diagnostic review of all functions of the audited company, which
94 shall include, but not be limited to, documentation of the operations of
95 the company, assessment of the company's system of internal controls,
96 and identification of any areas of the company which may require
97 subsequent audits, and (B) the performance of subsequent focused
98 audits identified in the diagnostic review and determined necessary by
99 the authority. All audits performed pursuant to this section shall be
100 performed in accordance with generally accepted management audit
101 standards. The [department] authority shall adopt regulations in
102 accordance with the provisions of chapter 54 setting forth such
103 generally accepted management audit standards. Each audit of a
104 community antenna television company shall be consistent with the
105 provisions of the Communications Act of 1934, 47 USC 151, et seq., as
106 amended from time to time, and of any other applicable federal law.
107 The authority shall certify whether a portion of an audit conforms to
108 the provisions of this section and constitutes a portion of a complete
109 audit.

110 (4) A complete audit of each portion of each gas, electric or electric
111 distribution company having more than seventy-five thousand
112 customers shall begin no less frequently than every six years, so that a
113 complete audit of such a company's operations shall be performed
114 every six years. Such an audit of each such company having more than
115 seventy-five thousand customers shall be updated as required by the

116 authority.

117 (5) The results of an audit performed pursuant to this section shall
118 be filed with the authority and shall be open to public inspection.
119 Upon completion and review of the audit, if the person or firm
120 performing or supervising the audit determines that any of the
121 operating procedures or any other internal workings of the affected
122 public service company are inefficient, improvident, unreasonable,
123 negligent or in abuse of discretion, the authority may, after notice and
124 opportunity for a hearing, order the affected public service company to
125 adopt such new or altered practices and procedures as the authority
126 shall find necessary to promote efficient and adequate service to meet
127 the public convenience and necessity. The authority shall annually
128 submit a report of audits performed pursuant to this section to the
129 joint standing committee of the General Assembly having cognizance
130 of matters relating to public utilities which report shall include the
131 status of audits begun but not yet completed and a summary of the
132 results of audits completed.

133 (6) All reasonable and proper costs and expenses, as determined by
134 the authority, of complying with any order of the authority pursuant
135 to this subsection shall be recognized by the authority for all purposes
136 as proper business expenses of the affected company.

137 (7) After notice and hearing, the authority may modify the scope
138 and schedule of a management audit of a telephone company which is
139 subject to an alternative form of regulation so that such audit is
140 consistent with that alternative form of regulation.

141 (c) Nothing in this section shall be deemed to interfere or conflict
142 with any powers of the authority or its staff provided elsewhere in the
143 general statutes, including, but not limited to, the provisions of this
144 section and sections 16-7, 16-28 and 16-32, to conduct an audit,
145 investigation or review of the books, records, plant and equipment of
146 any regulated public service company.

147 Sec. 3. Section 16-19hh of the general statutes is repealed and the

148 following is substituted in lieu thereof (*Effective from passage*):

149 (a) In order to encourage economic development and maintain the
150 state's manufacturing base, the [department] authority shall: (1)
151 Continue to implement flexible pricing when it determines that such
152 pricing is appropriate; (2) require each water and gas company, as
153 defined in section 16-1, as amended by this act, which serves
154 manufacturing customers and has not yet done so, to propose, in its
155 first application for an amendment of rates filed pursuant to section
156 16-19 on or after October 1, 1993, flexible and innovative rates which
157 promote manufacturing, which rates may include, but not be limited
158 to, economic development, business retention, competitive energy,
159 interruptible, conservation and time of use rates; and (3) require each
160 water and gas company, as defined in said section 16-1, as amended by
161 this act, to support and promote the Connecticut manufacturing
162 program for energy technology.

163 (b) Notwithstanding the provisions of subsection (a) of this section,
164 an electric company or electric distribution company that (1)
165 renegotiates, extends or renews any special contract for electric service
166 that is in effect on July 1, 2000, and has a term that expires prior to July
167 1, 2000, for a term that extends beyond June 30, 2000, or (2) enters into
168 any new special contracts for electric service, shall provide in any such
169 renegotiated, extended, renewed or new contract for the collection of
170 the assessment required under section 16-245g as provided in said
171 section 16-245g and for the collection of the charge required in section
172 16-245l, as amended by this act, as provided in said section 16-245l, as
173 amended by this act, provided no such contract shall shift costs to
174 other ratepayers.

175 (c) Notwithstanding the provisions of subsections (a) and (b) of this
176 section, a customer that is (1) an existing or proposed manufacturing
177 plant that will add or create one hundred or more jobs and that will
178 demand at least fifty kilowatts of additional load through the
179 construction or expansion of manufacturing facilities, or (2) an existing
180 manufacturing plant located in a distressed municipality, as defined in

181 section 32-9p, that is located in an enterprise corridor and employing
182 not less than two hundred persons may be exempted from payment of
183 the competitive transition assessment required under section 16-245g.
184 A customer meeting the requirements of subdivision (1) of this
185 subsection may apply to the [department] authority for an exemption
186 from the payment of the competitive transition assessment that relate
187 to the new or incremental load created by such construction or
188 expansion. A customer meeting the requirements of subdivision (2) of
189 this subsection may apply to the [department] authority for an
190 exemption from the payment of the competitive transition assessment.
191 The [department] authority shall hold a hearing on any such
192 application, and if approved, direct the electric distribution company
193 to refrain from collecting a specific portion of the competitive
194 transition assessment from such customer. The [department] authority
195 may adopt regulations pursuant to chapter 54 to implement the
196 provisions of this section.

197 Sec. 4. Subsection (h) of section 16-50j of the general statutes is
198 repealed and the following is substituted in lieu thereof (*Effective from*
199 *passage*):

200 (h) Prior to commencing any hearing pursuant to section 16-50m,
201 the council shall consult with and solicit written comments from (1) the
202 Department of Energy and Environmental Protection, the Department
203 of Public Health, the Council on Environmental Quality, the
204 Department of Agriculture, the Public Utilities Regulatory Authority,
205 the Office of Policy and Management, the Department of Economic
206 and Community Development and the Department of Transportation,
207 and (2) in a hearing pursuant to section 16-50m, for a facility described
208 in subdivision (3) of subsection (a) of section 16-50i, the Department of
209 Emergency Services and Public Protection, the Department of
210 Consumer Protection, the Department of Public Works and the Labor
211 Department. In addition, the Department of Energy and
212 Environmental Protection shall have the continuing responsibility to
213 investigate and report to the council on all applications which prior to
214 October 1, 1973, were within the jurisdiction of the Department of

215 Environmental Protection with respect to the granting of a permit.
216 Copies of such comments shall be made available to all parties prior to
217 the commencement of the hearing. Subsequent to the commencement
218 of the hearing, said departments and council may file additional
219 written comments with the council within such period of time as the
220 council designates. All such written comments shall be made part of
221 the record provided by section 16-50o. Said departments and council
222 shall not enter any contract or agreement with any party to the
223 proceedings or hearings described in this section or section 16-50p [.]
224 that requires said departments or council to withhold or retract
225 comments, refrain from participating in or withdraw from said
226 proceedings or hearings.

227 Sec. 5. Subsection (b) of section 16-50bb of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective from*
229 *passage*):

230 (b) Payments from the account shall be made upon authorization by
231 the State Treasurer. An application for reimbursement shall be
232 submitted not later than sixty days after the conclusion of a
233 certification proceeding, except for a facility described in subdivisions
234 (5) and (6) of subsection (a) of section 16-50i, by each municipality
235 entitled to receive a copy of [such] an application under section 16-50l
236 in order to defray expenses incurred by such municipalities in
237 participating as a party to a certification proceeding, except for a
238 proceeding on an application for a facility described in subdivision (5)
239 or (6) of subsection (a) of section 16-50i. Any moneys remaining after
240 payments to municipalities in accordance with this section shall be
241 refunded to the applicant in even amounts. Where more than one
242 municipality seeks moneys from such account, the council shall evenly
243 distribute such moneys among the municipalities. No municipality
244 may receive moneys from the account in excess of twenty-five
245 thousand dollars. No municipality may receive moneys from the
246 account in excess of the dollar amount such municipality has expended
247 from its own municipal funds.

248 Sec. 6. Section 16-228 of the general statutes is repealed and the
249 following is substituted in lieu thereof (*Effective from passage*):

250 [Each telegraph company may maintain and construct telegraph
251 lines, and, subject] Subject to the restrictions of sections 16-18, 16-248,
252 16-249 and 16-250, each telephone company may construct and
253 maintain telephone lines, upon any highway or across any waters in
254 this state, by the erection and maintenance of the necessary fixtures,
255 including posts, piers or abutments, for sustaining wires; but the same
256 shall not be so constructed as to incommode public travel or
257 navigation or injure any tree without the consent of the owner, nor
258 shall such company construct any bridge across any waters. Such lines
259 shall be personal property.

260 Sec. 7. Section 16-243e of the general statutes is repealed and the
261 following is substituted in lieu thereof (*Effective from passage*):

262 (a) Except as provided in subsection (b) of this section, any electric
263 company, as defined in section 16-1, as amended by this act, that, prior
264 to July 6, 2007, purchased electricity generated by a resources recovery
265 facility, as defined in section 22a-260, owned by, or operated by or for
266 the benefit of, a municipality or municipalities, pursuant to a contract
267 with the owner of such facility requiring the electric company to
268 purchase all of the electricity generated at such facility from waste that
269 originated in the franchise area of the electric company, for a period
270 beginning on the date that the facility began generating electricity and
271 having a duration of not less than twenty years, at the same rate that
272 the electric company charges the municipality or municipalities for
273 electricity, shall pay the rate set forth in the contract or, for contracts
274 entered into and approved during calendar year 1999, the rate
275 established by the [department] authority, for the remaining period of
276 the contract. No electric company or electric distribution company
277 shall be required to enter into such a contract on or after July 6, 2007.

278 (b) Not later than October 1, 2000, and annually thereafter, the
279 [department] authority shall calculate the difference between the
280 amount paid by the successor electric distribution company pursuant

281 to each such contract in effect during the preceding fiscal year for
282 electricity generated at the facility from waste that originated within
283 such franchise area and the amount that would have been paid had the
284 company been obligated to pay the rate in effect during calendar year
285 1999, as determined by the [department] authority. The difference, if
286 positive, shall be recovered through the systems benefits charge
287 established under section 16-245l, as amended by this act, and remitted
288 to the regional resource recovery authority acting on behalf of member
289 municipalities.

290 Sec. 8. Section 16-243l of the general statutes is repealed and the
291 following is substituted in lieu thereof (*Effective from passage*):

292 On or before January 1, 2006, each electric distribution company
293 shall institute a program to rebate to its customers with projects that
294 use natural gas, which projects are customer-side distributed
295 resources, as defined in section 16-1, as amended by this act, an
296 amount equivalent to the customer's retail delivery charge for
297 transporting natural gas from the customer's local gas company to
298 such customer's project of customer-side distributed resources. Costs
299 of such a rebate shall be recoverable by the electric distribution
300 company from the federally mandated congestion charges, as defined
301 in section 16-1, as amended by this act. The [department] authority
302 may adopt regulations, in accordance with chapter 54, to implement
303 the provisions of this section.

304 Sec. 9. Section 16-244c of the general statutes is repealed and the
305 following is substituted in lieu thereof (*Effective from passage*):

306 [(a) (1) On and after January 1, 2000, each electric distribution
307 company shall make available to all customers in its service area, the
308 provision of electric generation and distribution services through a
309 standard offer. Under the standard offer, a customer shall receive
310 electric services at a rate established by the Public Utilities Regulatory
311 Authority pursuant to subdivision (2) of this subsection. Each electric
312 distribution company shall provide electric generation services in
313 accordance with such option to any customer who affirmatively

314 chooses to receive electric generation services pursuant to the standard
315 offer or does not or is unable to arrange for or maintain electric
316 generation services with an electric supplier. The standard offer shall
317 automatically terminate on January 1, 2004. While providing electric
318 generation services under the standard offer, an electric distribution
319 company may provide electric generation services through any of its
320 generation entities or affiliates, provided such entities or affiliates are
321 licensed pursuant to section 16-245.

322 (2) Not later than October 1, 1999, the Department of Energy and
323 Environmental Protection shall establish the standard offer for each
324 electric distribution company, effective January 1, 2000, which shall
325 allocate the costs of such company among electric transmission and
326 distribution services, electric generation services, the competitive
327 transition assessment and the systems benefits charge. The department
328 shall hold a hearing that shall be conducted as a contested case in
329 accordance with chapter 54 to establish the standard offer. The
330 standard offer shall provide that the total rate charged under the
331 standard offer, including electric transmission and distribution
332 services, the conservation and load management program charge
333 described in section 16-245m, the renewable energy investment charge
334 described in section 16-245n, electric generation services, the
335 competitive transition assessment and the systems benefits charge
336 shall be at least ten per cent less than the base rates, as defined in
337 section 16-244a, in effect on December 31, 1996. The standard offer
338 shall be adjusted to the extent of any increase or decrease in state taxes
339 attributable to sections 12-264 and 12-265 and any other increase or
340 decrease in state or federal taxes resulting from a change in state or
341 federal law and shall continue to be adjusted during such period
342 pursuant to section 16-19b. Notwithstanding the provisions of section
343 16-19b, the provisions of said section 16-19b shall apply to electric
344 distribution companies. The standard offer may be adjusted, by an
345 increase or decrease, to the extent approved by the department, in the
346 event that (A) the revenue requirements of the company are affected as
347 the result of changes in (i) legislative enactments other than public act
348 98-28, (ii) administrative requirements, or (iii) accounting standards

349 occurring after July 1, 1998, provided such accounting standards are
350 adopted by entities independent of the company that have authority to
351 issue such standards, or (B) an electric distribution company incurs
352 extraordinary and unanticipated expenses required for the provision of
353 safe and reliable electric service to the extent necessary to provide such
354 service. Savings attributable to a reduction in taxes shall not be shifted
355 between customer classes.

356 (3) The price reduction provided in subdivision (2) of this
357 subsection shall not apply to customers who, on or after July 1, 1998,
358 are purchasing electric services from an electric company or electric
359 distribution company, as the case may be, under a special contract or
360 flexible rate tariff, and the company's filed standard offer tariffs shall
361 reflect that such customers shall not receive the standard offer price
362 reduction.

363 (b) (1) (A) On and after January 1, 2004, each electric distribution
364 company shall make available to all customers in its service area, the
365 provision of electric generation and distribution services through a
366 transitional standard offer. Under the transitional standard offer, a
367 customer shall receive electric services at a rate established by the
368 Public Utilities Regulatory Authority pursuant to subdivision (2) of
369 this subsection. Each electric distribution company shall provide
370 electric generation services in accordance with such option to any
371 customer who affirmatively chooses to receive electric generation
372 services pursuant to the transitional standard offer or does not or is
373 unable to arrange for or maintain electric generation services with an
374 electric supplier. The transitional standard offer shall terminate on
375 December 31, 2006. While providing electric generation services under
376 the transitional standard offer, an electric distribution company may
377 provide electric generation services through any of its generation
378 entities or affiliates, provided such entities or affiliates are licensed
379 pursuant to section 16-245.

380 (B) The authority shall conduct a proceeding to determine whether a
381 practical, effective, and cost-effective process exists under which an

382 electric customer, when initiating electric service, may receive
383 information regarding selecting electric generating services from a
384 qualified entity. The authority shall complete such proceeding on or
385 before December 1, 2005, and shall implement the resulting decision on
386 or before March 1, 2006, or on such later date that the authority
387 considers appropriate. An electric distribution company's costs of
388 participating in the proceeding and implementing the results of the
389 authority's decision shall be recoverable by the company as generation
390 services costs through an adjustment mechanism as approved by the
391 authority.

392 (2) (A) Not later than December 15, 2003, the Public Utilities
393 Regulatory Authority shall establish the transitional standard offer for
394 each electric distribution company, effective January 1, 2004.

395 (B) The authority shall hold a hearing that shall be conducted as a
396 contested case in accordance with chapter 54 to establish the
397 transitional standard offer. The transitional standard offer shall
398 provide that the total rate charged under the transitional standard
399 offer, including electric transmission and distribution services, the
400 conservation and load management program charge described in
401 section 16-245m, the renewable energy investment charge described in
402 section 16-245n, electric generation services, the competitive transition
403 assessment and the systems benefits charge, and excluding federally
404 mandated congestion costs, shall not exceed the base rates, as defined
405 in section 16-244a, in effect on December 31, 1996, excluding any rate
406 reduction ordered by the authority on September 26, 2002.

407 (C) (i) Each electric distribution company shall, on or before January
408 1, 2004, file with the authority an application for an amendment of
409 rates pursuant to section 16-19, which application shall include a four-
410 year plan for the provision of electric transmission and distribution
411 services. The authority shall conduct a contested case proceeding
412 pursuant to sections 16-19 and 16-19e to approve, reject or modify the
413 application and plan. Upon the approval of such plan, as filed or as
414 modified by the authority, the authority shall order that such plan

415 shall establish the electric transmission and distribution services
416 component of the transitional standard offer.

417 (ii) Notwithstanding the provisions of this subparagraph, an electric
418 distribution company that, on or after September 1, 2002, completed a
419 proceeding pursuant to sections 16-19 and 16-19e, shall not be required
420 to file an application for an amendment of rates as required by this
421 subparagraph. The authority shall establish the electric transmission
422 and distribution services component of the transitional standard offer
423 for any such company equal to the electric transmission and
424 distribution services component of the standard offer established
425 pursuant to subsection (a) of this section in effect on July 1, 2003, for
426 such company. If such electric distribution company applies to the
427 authority, pursuant to section 16-19, for an amendment of its rates on
428 or before December 31, 2006, the application of the electric distribution
429 company shall include a four-year plan.

430 (D) The transitional standard offer (i) shall be adjusted to the extent
431 of any increase or decrease in state taxes attributable to sections 12-264
432 and 12-265 and any other increase or decrease in state or federal taxes
433 resulting from a change in state or federal law, (ii) shall be adjusted to
434 provide for the cost of contracts under subdivision (2) of subsection (j)
435 of this section and the administrative costs for the procurement of such
436 contracts, and (iii) shall continue to be adjusted during such period
437 pursuant to section 16-19b. Savings attributable to a reduction in taxes
438 shall not be shifted between customer classes. Notwithstanding the
439 provisions of section 16-19b, the provisions of section 16-19b shall
440 apply to electric distribution companies.

441 (E) The transitional standard offer may be adjusted, by an increase
442 or decrease, to the extent approved by the authority, in the event that
443 (i) the revenue requirements of the company are affected as the result
444 of changes in (I) legislative enactments other than public act 03-135 or
445 public act 98-28, (II) administrative requirements, or (III) accounting
446 standards adopted after July 1, 2003, provided such accounting
447 standards are adopted by entities that are independent of the company

448 and have authority to issue such standards, or (ii) an electric
449 distribution company incurs extraordinary and unanticipated expenses
450 required for the provision of safe and reliable electric service to the
451 extent necessary to provide such service.

452 (3) The price provided in subdivision (2) of this subsection shall not
453 apply to customers who, on or after July 1, 2003, purchase electric
454 services from an electric company or electric distribution company, as
455 the case may be, under a special contract or flexible rate tariff,
456 provided the company's filed transitional standard offer tariffs shall
457 reflect that such customers shall not receive the transitional standard
458 offer price during the term of said contract or tariff.

459 (4) (A) In addition to its costs received pursuant to subsection (h) of
460 this section, as compensation for providing transitional standard offer
461 service, each electric distribution company shall receive an amount
462 equal to five-tenths of one mill per kilowatt hour. Revenues from such
463 compensation shall not be included in calculating the electric
464 distribution company's earnings for purposes of, or in determining
465 whether its rates are just and reasonable under, sections 16-19, 16-19a
466 and 16-19e, including an earnings sharing mechanism. In addition,
467 each electric distribution company may earn compensation for
468 mitigating the prices of the contracts for the provision of electric
469 generation services, as provided in subdivision (2) of this subsection.

470 (B) The authority shall conduct a contested case proceeding
471 pursuant to the provisions of chapter 54 to establish an incentive plan
472 for the procurement of long-term contracts for transitional standard
473 offer service by an electric distribution company. The incentive plan
474 shall be based upon a comparison of the actual average firm full
475 requirements service contract price for electricity obtained by the
476 electric distribution company compared to the regional average firm
477 full requirements service contract price for electricity, adjusted for such
478 variables as the authority deems appropriate, including, but not
479 limited to, differences in locational marginal pricing. If the actual
480 average firm full requirements service contract price obtained by the

481 electric distribution company is less than the actual regional average
482 firm full requirements service contract price for the previous year, the
483 authority shall split five-tenths of one mill per kilowatt hour equally
484 between ratepayers and the company. Revenues from such incentive
485 plan shall not be included in calculating the electric distribution
486 company's earnings for purposes of, or in determining whether its
487 rates are just and reasonable under, sections 16-19, 16-19a and 16-19e.
488 The authority may, as it deems necessary, retain a third party entity
489 with expertise in energy procurement to assist with the development
490 of such incentive plan.]

491 [(c)] (a) (1) On and after January 1, 2007, each electric distribution
492 company shall provide electric generation services through standard
493 service to any customer who (A) does not arrange for or is not
494 receiving electric generation services from an electric supplier, and (B)
495 does not use a demand meter or has a maximum demand of less than
496 five hundred kilowatts.

497 (2) Not later than October 1, 2006, and periodically as required by
498 subdivision (3) of this subsection, but not more often than every
499 calendar quarter, the Public Utilities Regulatory Authority shall
500 establish the standard service price for such customers pursuant to
501 subdivision (3) of this subsection. Each electric distribution company
502 shall recover the actual net costs of procuring and providing electric
503 generation services pursuant to this subsection, provided such
504 company mitigates the costs it incurs for the procurement of electric
505 generation services for customers who are no longer receiving service
506 pursuant to this subsection.

507 (3) An electric distribution company providing electric generation
508 services pursuant to this subsection shall cooperate with the
509 procurement manager of the Department of Energy and
510 Environmental Protection and comply with the procurement plan for
511 electric generation services contracts. Such plan shall require that the
512 portfolio of service contracts be procured in such manner and duration
513 as the authority determines to be most likely to produce just,

514 reasonable and reasonably stable retail rates while reflecting
515 underlying wholesale market prices over time. The portfolio of
516 contracts shall be assembled in such manner as to invite competition;
517 guard against favoritism, improvidence, extravagance, fraud and
518 corruption; and secure a reliable electricity supply while avoiding
519 unusual, anomalous or excessive pricing. An affiliate of an electric
520 distribution company may bid for an electric generation services
521 contract, provided such electric distribution company and affiliate are
522 in compliance with the code of conduct established in section 16-244h.

523 (4) The procurement manager of the Public Utilities Regulatory
524 Authority may retain the services of entities as it sees fit to assist with
525 the procurement of electric generation services for standard service.
526 Costs associated with the retention of such third-party entity shall be
527 included in the cost of standard service.

528 (5) For standard service contracts procured prior to department
529 approval of the plan developed pursuant to section 16-244m, each
530 bidder for a standard service contract shall submit its bid to the electric
531 distribution company and the third-party entity who shall jointly
532 review the bids and submit an overview of all bids together with a
533 joint recommendation to the department as to the preferred bidders.
534 The department may, within ten business days of submission of the
535 overview, reject the recommendation regarding preferred bidders. In
536 the event that the department rejects the preferred bids, the electric
537 distribution company and the third-party entity shall rebid the service
538 pursuant to this subdivision. The department shall review each bid in
539 an uncontested proceeding that shall include a public hearing and in
540 which the Consumer Counsel and Attorney General may participate.

541 [(d)] (b) (1) Notwithstanding the provisions of this section regarding
542 the [electric generation services component of the transitional standard
543 offer or the] procurement of electric generation services under
544 standard service, section 16-244h or 16-245o, the Department of Energy
545 and Environmental Protection may, from time to time, direct an
546 electric distribution company to offer, through an electric supplier or

547 electric suppliers, [before January 1, 2007, one or more alternative
548 transitional standard offer options or, on or after January 1, 2007,] one
549 or more alternative standard service options. Such alternative options
550 shall include, but not be limited to, an option that consists of the
551 provision of electric generation services that exceed the renewable
552 portfolio standards established in section 16-245a and may include an
553 option that utilizes strategies or technologies that reduce the overall
554 consumption of electricity of the customer.

555 (2) (A) The authority shall develop such alternative option or
556 options in a contested case conducted in accordance with the
557 provisions of chapter 54. The authority shall determine the terms and
558 conditions of such alternative option or options, including, but not
559 limited to, (i) the minimum contract terms, including pricing, length
560 and termination of the contract, and (ii) the minimum percentage of
561 electricity derived from Class I or Class II renewable energy sources, if
562 applicable. The electric distribution company shall, under the
563 supervision of the authority, subsequently conduct a bidding process
564 in order to solicit electric suppliers to provide such alternative option
565 or options.

566 (B) The authority may reject some or all of the bids received
567 pursuant to the bidding process.

568 (3) The authority may require an electric supplier to provide forms
569 of assurance to satisfy the authority that the contracts resulting from
570 the bidding process will be fulfilled.

571 (4) An electric supplier who fails to fulfill its contractual obligations
572 resulting from this subdivision shall be subject to civil penalties, in
573 accordance with the provisions of section 16-41, or the suspension or
574 revocation of such supplier's license or a prohibition on the acceptance
575 of new customers, following a hearing that is conducted as a contested
576 case, in accordance with the provisions of chapter 54.

577 [(e)] (c) (1) On and after January 1, 2007, an electric distribution
578 company shall serve customers that are not eligible to receive standard

579 service pursuant to subsection [(c)] (a) of this section as the supplier of
580 last resort. This subsection shall not apply to customers purchasing
581 power under contracts entered into pursuant to section 16-19hh, as
582 amended by this act.

583 (2) An electric distribution company shall procure electricity at least
584 every calendar quarter to provide electric generation services to
585 customers pursuant to this subsection. The Public Utilities Regulatory
586 Authority shall determine a price for such customers that reflects the
587 full cost of providing the electricity on a monthly basis. Each electric
588 distribution company shall recover the actual net costs of procuring
589 and providing electric generation services pursuant to this subsection,
590 provided such company mitigates the costs it incurs for the
591 procurement of electric generation services for customers that are no
592 longer receiving service pursuant to this subsection.

593 [(f)] (d) On and after January 1, 2000, and until such time the
594 regional independent system operator implements procedures for the
595 provision of back-up power to the satisfaction of the Public Utilities
596 Regulatory Authority, each electric distribution company shall provide
597 electric generation services to any customer who has entered into a
598 service contract with an electric supplier that fails to provide electric
599 generation services for reasons other than the customer's failure to pay
600 for such services. Between January 1, 2000, and December 31, 2006, an
601 electric distribution company may procure electric generation services
602 through a competitive bidding process or through any of its generation
603 entities or affiliates. On and after January 1, 2007, such company shall
604 procure electric generation services through a competitive bidding
605 process pursuant to a plan submitted by the electric distribution
606 company and approved by the authority. Such company may procure
607 electric generation services through any of its generation entities or
608 affiliates, provided such entity or affiliate is the lowest qualified bidder
609 and provided further any such entity or affiliate is licensed pursuant to
610 section 16-245.

611 [(g)] (e) An electric distribution company is not required to be

612 licensed pursuant to section 16-245 to provide standard offer electric
613 generation services in accordance with [subsection (a) of this section,
614 transitional standard offer service pursuant to subsection (b) of this
615 section,] standard service pursuant to subsection [(c)] (a) of this
616 section, supplier of last resort service pursuant to subsection [(e)] (c) of
617 this section or back-up electric generation service pursuant to
618 subsection [(f)] (d) of this section.

619 [(h)] (f) The electric distribution company shall be entitled to recover
620 reasonable costs incurred as a result of providing [standard offer
621 electric generation services pursuant to the provisions of subsection (a)
622 of this section, transitional standard offer service pursuant to
623 subsection (b) of this section,] standard service pursuant to subsection
624 [(c)] (a) of this section or back-up electric generation service pursuant
625 to subsection [(f)] (d) of this section. [The provisions of this section and
626 section 16-244a shall satisfy the requirements of section 16-19a until
627 January 1, 2007.]

628 [(i)] (g) The Department of Energy and Environmental Protection
629 shall establish, by regulations adopted pursuant to chapter 54,
630 procedures for when and how a customer is notified that his electric
631 supplier has defaulted and of the need for the customer to choose a
632 new electric supplier within a reasonable period of time.

633 [(j)] (h) (1) Notwithstanding the provisions of subsection [(d)] (b) of
634 this section regarding an [alternative transitional standard offer option
635 or an] alternative standard service option, an electric distribution
636 company providing [transitional standard offer service,] standard
637 service, supplier of last resort service or back-up electric generation
638 service in accordance with this section shall contract with its wholesale
639 suppliers to comply with the renewable portfolio standards. The
640 Public Utilities Regulatory Authority shall annually conduct a
641 contested case, in accordance with the provisions of chapter 54, in
642 order to determine whether the electric distribution company's
643 wholesale suppliers met the renewable portfolio standards during the
644 preceding year. An electric distribution company shall include a

645 provision in its contract with each wholesale supplier that requires the
646 wholesale supplier to pay the electric distribution company an amount
647 of five and one-half cents per kilowatt hour if the wholesale supplier
648 fails to comply with the renewable portfolio standards during the
649 subject annual period. The electric distribution company shall
650 promptly transfer any payment received from the wholesale supplier
651 for the failure to meet the renewable portfolio standards to the Clean
652 Energy Fund for the development of Class I renewable energy sources.
653 Any payment made pursuant to this section shall not be considered
654 revenue or income to the electric distribution company.

655 (2) Notwithstanding the provisions of subsection [(d)] (b) of this
656 section regarding an [alternative transitional standard offer option or
657 an] alternative standard service option, an electric distribution
658 company providing transitional standard offer service, standard
659 service, supplier of last resort service or back-up electric generation
660 service in accordance with this section shall, not later than July 1, 2008,
661 file with the Public Utilities Regulatory Authority for its approval one
662 or more long-term power purchase contracts from Class I renewable
663 energy source projects with a preference for projects located in
664 Connecticut that receive funding from the Clean Energy Fund and that
665 are not less than one megawatt in size, at a price that is either, at the
666 determination of the project owner, (A) not more than the total of the
667 comparable wholesale market price for generation plus five and one-
668 half cents per kilowatt hour, or (B) fifty per cent of the wholesale
669 market electricity cost at the point at which transmission lines intersect
670 with each other or interface with the distribution system, plus the
671 project cost of fuel indexed to natural gas futures contracts on the New
672 York Mercantile Exchange at the natural gas pipeline interchange
673 located in Vermillion Parish, Louisiana that serves as the delivery
674 point for such futures contracts, plus the fuel delivery charge for
675 transporting fuel to the project, plus five and one-half cents per
676 kilowatt hour. In its approval of such contracts, the authority shall give
677 preference to purchase contracts from those projects that would
678 provide a financial benefit to ratepayers and would enhance the
679 reliability of the electric transmission system of the state. Such projects

680 shall be located in this state. The owner of a fuel cell project principally
681 manufactured in this state shall be allocated all available air emissions
682 credits and tax credits attributable to the project and no less than fifty
683 per cent of the energy credits in the Class I renewable energy credits
684 program established in section 16-245a attributable to the project. On
685 and after October 1, 2007, and until September 30, 2008, such contracts
686 shall be comprised of not less than a total, apportioned among each
687 electric distribution company, of one hundred twenty-five megawatts;
688 and on and after October 1, 2008, such contracts shall be comprised of
689 not less than a total, apportioned among each electrical distribution
690 company, of one hundred fifty megawatts. The Public Utilities
691 Regulatory Authority shall not issue any order that results in the
692 extension of any in-service date or contractual arrangement made as a
693 part of Project 100 or Project 150 beyond the termination date
694 previously approved by the authority established by the contract,
695 provided any party to such contract may provide a notice of
696 termination in accordance with the terms of, and to the extent
697 permitted under, its contract, except the authority shall grant, upon
698 request, [and] an extension of [such] the latest of any such in-service
699 date by twelve months for any project located in a distressed
700 municipality, as defined in section 32-9p, with a population of more
701 than one hundred twenty-five thousand. The cost of such contracts
702 and the administrative costs for the procurement of such contracts
703 directly incurred shall be eligible for inclusion in the adjustment to [the
704 transitional standard offer as provided in this section and] any
705 subsequent rates for standard service, provided such contracts are for a
706 period of time sufficient to provide financing for such projects, but not
707 less than ten years, and are for projects which began operation on or
708 after July 1, 2003. Except as provided in this subdivision, the amount
709 from Class I renewable energy sources contracted under such contracts
710 shall be applied to reduce the applicable Class I renewable energy
711 source portfolio standards. For purposes of this subdivision, the
712 authority's determination of the comparable wholesale market price
713 for generation shall be based upon a reasonable estimate. On or before
714 September 1, 2011, the authority, in consultation with the Office of

715 Consumer Counsel and the Clean Energy Finance and Investment
716 Authority, shall study the operation of such renewable energy
717 contracts and report its findings and recommendations to the joint
718 standing committee of the General Assembly having cognizance of
719 matters relating to energy.

720 [(k)] (i) (1) As used in this section:

721 (A) "Participating electric supplier" means an electric supplier that is
722 licensed by the department to provide electric service, pursuant to this
723 subsection, to residential or small commercial customers.

724 (B) "Residential customer" means a customer who is eligible for
725 standard service and who takes electric distribution-related service
726 from an electric distribution company pursuant to a residential tariff.

727 (C) "Small commercial customer" means a customer who is eligible
728 for standard service and who takes electric distribution-related service
729 from an electric distribution company pursuant to a small commercial
730 tariff.

731 (D) "Qualifying electric offer" means an offer to provide full
732 requirements commodity electric service and all other generation-
733 related service to a residential or small commercial customer at a fixed
734 price per kilowatt hour for a term of no less than one year.

735 (2) In the manner determined by the authority, residential or small
736 commercial service customers (A) initiating new utility service, (B)
737 reinitiating service following a change of residence or business
738 location, (C) making an inquiry regarding their utility rates, or (D)
739 seeking information regarding energy efficiency shall be offered the
740 option to learn about their ability to enroll with a participating electric
741 supplier. Customers expressing an interest to learn about their electric
742 supply options shall be informed of the qualifying electric offers then
743 available from participating electric suppliers. The electric distribution
744 companies shall describe then available qualifying electric offers
745 through a method reviewed and approved by the authority. The

746 information conveyed to customers expressing an interest to learn
747 about their electric supply options shall include, at a minimum, the
748 price and term of the available electric supply option. Customers
749 expressing an interest in a particular qualifying electric offer shall be
750 immediately transferred to a call center operated by that participating
751 electric supplier.

752 (3) Not later than September 1, 2007, the authority shall establish
753 terms and conditions under which a participating electric supplier can
754 be included in the referral program described in subdivision (2) of this
755 subsection. Such terms shall include, but not be limited to, requiring
756 participating electrical suppliers to offer time-of-use and real-time use
757 rates to residential customers.

758 (4) Each calendar quarter, participating electric suppliers shall be
759 allowed to list qualifying offers to provide electric generation service
760 to residential and small commercial customers with each customer's
761 utility bill. The authority shall determine the manner such information
762 is presented in customers' utility bills.

763 (5) Any customer that receives electric generation service from a
764 participating electric supplier may return to standard service or may
765 choose another participating electric supplier at any time, including
766 during the qualifying electric offer, without the imposition of any
767 additional charges. Any customer that is receiving electric generation
768 service from an electric distribution company pursuant to standard
769 service can switch to another participating electric supplier at any time
770 without the imposition of additional charges.

771 [(l)] (j) Each electric distribution company shall offer to bill
772 customers on behalf of participating electric suppliers and to pay such
773 suppliers in a timely manner the amounts due such suppliers from
774 customers for generation services, less a percentage of such amounts
775 that reflects uncollectible bills and overdue payments as approved by
776 the Department of Energy and Environmental Protection.

777 [(m)] (k) On or before July 1, 2007, the Public Utilities Regulatory

778 Authority shall initiate a proceeding to examine whether electric
779 supplier bills rendered pursuant to section 16-245d and any
780 regulations adopted thereunder sufficiently enable customers to
781 compare pricing policies and charges among electric suppliers.

782 [(n)] (l) The authority shall conduct a proceeding to determine the
783 cost of billing, collection and other services provided by the electric
784 distribution companies or the department solely for the benefit of
785 participating electric suppliers and aggregators. The department shall
786 order an equitable allocation of such costs among electric suppliers
787 and aggregators. As part of this same proceeding, the department shall
788 also determine the costs that the electric distribution companies incur
789 solely for the benefit of standard service and last resort service
790 customers. After such determination, the department shall allocate and
791 provide for the equitable recovery of such costs from standard service
792 or last resort service customers.

793 [(o)] (m) Nothing in the provisions of this section shall preclude an
794 electric distribution company from entering into standard service
795 supply contracts or standard service supply components with electric
796 generating facilities.

797 Sec. 10. Section 16-244d of the general statutes is repealed and the
798 following is substituted in lieu thereof (*Effective from passage*):

799 [(a)] Not later than December 1, 1998, the Public Utilities Regulatory
800 Authority shall develop a comprehensive public education outreach
801 program to educate customers about the implementation of retail
802 competition among electric suppliers, as defined in section 16-1. The
803 goals of the program shall be to maximize public information,
804 minimize customer confusion and equip all customers to participate in
805 a restructured generation market. The program shall include, but not
806 be limited to: (1) The dissemination of information through mass
807 media, interactive approaches and written materials with the goal of
808 reaching every electric customer; (2) the conduct of public forums in
809 different geographical areas of the state to foster public input and
810 provide opportunities for an exchange of questions and answers; (3)

811 involvement of community-based organizations in developing
812 messages and in devising and implementing education strategies; (4)
813 targeted efforts to reach rural, low income, elderly, foreign language,
814 disabled, ethnic minority and other traditionally underserved
815 populations; and (5) periodic evaluations of the effectiveness of
816 educational efforts. The authority shall assign one individual within
817 the authority to coordinate the outreach program and oversee the
818 education process. The authority shall begin to implement the outreach
819 program not later than January 1, 1999.

820 (b) There shall be established a Consumer Education Advisory
821 Council which shall advise the outreach program coordinator on the
822 development and implementation of the outreach program until the
823 termination of the standard offer under section 16-244c. Membership
824 of the advisory council shall be established by the Consumer Counsel
825 not later than December 1, 1998, and shall include, but not be limited
826 to, representatives of the Public Utilities Regulatory Authority, the
827 Office of Consumer Counsel, the Office of the Attorney General, the
828 Office of Policy and Management, the Department of Energy and
829 Environmental Protection, community and business organizations,
830 consumer groups, including, but not limited to, a group that represents
831 hardship customers, as defined in section 16-262c, electric distribution
832 companies and electric suppliers. The advisory council shall determine
833 the information to be distributed to customers as part of the education
834 effort such as customers' rights and obligations in a restructured
835 environment, how customers can exercise their right to participate in
836 retail access, the types of electric suppliers expected to be licensed
837 including the possibility of load aggregation, electric generation
838 services options that will be available, the environmental
839 characteristics of different types of generation facilities and other
840 information determined by the advisory council to be necessary for
841 customers. The advisory council shall advise the outreach program
842 coordinator on the methods of distributing information in accordance
843 with subsection (a) of this section and the timing of such distribution.
844 The advisory council shall meet on a regular basis and report to the
845 outreach program coordinator as it deems appropriate until

846 termination of the advisory council's role upon the termination of the
847 standard offer under section 16-244c.

848 (c) Not later than December 1, 1998, the Public Utilities Regulatory
849 Authority shall submit a report to the joint standing committee of the
850 General Assembly having cognizance of matters relating to energy,
851 outlining the scope of the education outreach program developed by
852 the authority and identifying the individual acting as outreach
853 program coordinator and the membership of the advisory council.

854 (d) The authority may retain a consultant in accordance with section
855 16-18a to assist in developing and implementing the public education
856 outreach program, provided the authorization to retain such
857 consultant shall expire December 31, 2005. The reasonable and proper
858 expenses for retaining the consultant and implementing the outreach
859 program shall be reimbursed through the systems benefits charge as
860 provided in subsection (b) of said section 16-18a.

861 (e) The advisory council shall, in consultation with the Connecticut
862 Academy of Science and Engineering and the New England
863 Conference of Public Utility Commissioners, analyze the
864 environmental costs and benefits of the following categories of energy
865 sources: (1) Class I renewable energy sources by type; (2) Class II
866 renewable energy sources by type; (3) facilities using coal, natural gas,
867 oil or other petroleum products as fuel which facilities are subject to
868 the New Source Performance Standards in the federal Clean Air Act
869 for such facilities; (4) facilities using coal, natural gas, oil or other
870 petroleum products as fuel which facilities are not subject to the New
871 Source Performance Standards; (5) nuclear power generating facilities;
872 and (6) hydropower that does not meet the criteria for a Class II
873 renewable energy source. The advisory council shall establish uniform
874 standards for the disclosure of information to allow customers to easily
875 compare rates of air pollutant emissions and the resource mix of
876 various energy sources of electric suppliers.]

877 [(f)] The Public Utilities Regulatory Authority, in consultation with
878 the Office of Consumer Counsel, shall establish a program for the

879 dissemination of information regarding electric suppliers. Such
880 program shall require electric distribution companies to distribute an
881 informational summary on electric suppliers to any new customer and
882 to existing customers beginning on January 1, 2004, and semiannually
883 thereafter. Such informational summary shall be developed by the
884 authority and shall include, but not be limited to, the name of each
885 licensed electric supplier, the state where the supplier is based,
886 information on whether the supplier has active offerings for either
887 residential or commercial and industrial consumers, the telephone
888 number and Internet address of the supplier, and information as to
889 whether the supplier offers electric generation services from renewable
890 energy sources in excess of the portfolio standards established
891 pursuant to section 16-245a. The authority shall include pricing
892 information in the informational summary to the extent the authority
893 determines feasible. The authority shall post the informational
894 summary in a conspicuous place on its web site and provide electronic
895 links to the web site of each supplier. The authority shall update the
896 informational summary on its web site on at least a quarterly basis.

897 [(g) The Public Utilities Regulatory Authority, in consultation with
898 the Office of Consumer Counsel and the Consumer Education
899 Advisory Council, shall, not later than October 1, 2003, develop a plan
900 for the restart of the education outreach program on or before October
901 1, 2004, and submit, in accordance with the provisions of section 11-4a,
902 such plan to the joint standing committee of the General Assembly
903 having cognizance of matters relating to energy and technology.]

904 Sec. 11. Subdivision (20) of subsection (a) of section 16-245e of the
905 general statutes is repealed and the following is substituted in lieu
906 thereof (*Effective from passage*):

907 (20) "Economic recovery revenue bonds" means rate reduction
908 bonds issued to fund the economic recovery transfer, the costs of
909 issuance, credit enhancements, operating expenses and such other
910 costs as the finance authority deems necessary or advisable, and which
911 shall be payable from competitive transition assessment charges that

912 replace the competitive transition assessment charges funding
913 stranded costs. [and that are offset in part by decreases to the charges
914 funding the Energy Conservation and Load Management Fund, as
915 provided in subdivision (3) of subsection (a) of section 16-245m.]

916 Sec. 12. Subsection (b) of section 16-245f of the general statutes is
917 repealed and the following is substituted in lieu thereof (*Effective from*
918 *passage*):

919 (b) Prior to September 1, 2010, each electric distribution company
920 shall submit to the authority an application for a financing order with
921 respect to funding the economic recovery transfer through the issuance
922 of economic recovery revenue bonds. The authority shall hold a
923 hearing for each such electric distribution company to determine the
924 amount necessary to fund the economic recovery transfer, the payment
925 of economic recovery revenue bonds, costs of issuance, credit
926 enhancements and operating expenses for the economic recovery
927 revenue bonds. Such amount as determined by the authority shall
928 constitute transition property. The authority shall allocate the
929 responsibility for the funding of the economic recovery transfer and
930 the expenses of the economic recovery revenue bonds equitably
931 between the electric distribution companies. Such allocation may
932 provide that the respective charges payable by the customers of each
933 electric distribution company may commence on different dates and
934 that such rates may vary over the period the economic recovery
935 revenue bonds and the related operating expenses are being paid,
936 provided (1) such charges are equitably allocated to the customers of
937 each electric distribution company, and (2) the authority determines
938 that, over such period, and taking into account the timing of charges,
939 the charges on a kilowatt hour basis assessed to the customers of the
940 respective electric distribution companies have substantially the same
941 present value after consultation with the finance authority as to the
942 discount rate to be used in determining such present value. Any
943 hearing with respect to a financing order in respect to the economic
944 recovery transfer and the issuance of economic recovery revenue
945 bonds shall not be a contested case, as defined in section 4-166. The

946 authority shall issue a financing order in respect to the economic
947 recovery revenue bonds for each electric distribution company on or
948 before October 1, 2010. In such financing order, the authority shall
949 determine the competitive transition assessment in respect of the
950 economic recovery revenue bonds, which shall not be assessed prior to
951 June 30, 2011, unless the authority sets an earlier date in the financing
952 order. [A component of the competitive transition assessment in
953 respect of the economic recovery revenue bonds shall be equal to the
954 decreases to the charges provided in subdivision (3) of subsection (a)
955 of section 16-245m funding the Energy Conservation and Load
956 Management Fund. The portion of the competitive transition
957 assessment in respect to the economic recovery revenue bonds equal to
958 such decreases shall be assessed and collected from the date such
959 charges are reduced pursuant to the financing order.] The authority
960 may provide in such financing order that money from other sources,
961 including proceeds of charges assessed customers of municipal electric
962 companies, transferred to the trustee under the indenture and
963 intended to be used to pay debt service on the bonds shall be taken
964 into account in making adjustments to the competitive transition
965 assessment pursuant to subdivision (2) of subsection (b) of section 16-
966 245i if such payment is not made from General Fund revenues and
967 would not adversely affect the tax status or credit rating of economic
968 recovery revenue bonds.

969 Sec. 13. Subdivision (2) of subsection (d) of section 16-245m of the
970 general statutes is repealed and the following is substituted in lieu
971 thereof (*Effective from passage*):

972 (2) There shall be a joint committee of the Energy Conservation
973 Management Board and the board of directors of the Clean Energy
974 Finance and Investment Authority. [The board and the advisory
975 committee] Said boards shall each appoint members to such joint
976 committee. The joint committee shall examine opportunities to
977 coordinate the programs and activities funded by the Clean Energy
978 Fund pursuant to section 16-245n with the programs and activities
979 contained in the plan developed under this subsection to reduce the

980 long-term cost, environmental impacts and security risks of energy in
981 the state. Such joint committee shall hold its first meeting on or before
982 August 1, 2005.

983 Sec. 14. Section 16-247a of the general statutes is repealed and the
984 following is substituted in lieu thereof (*Effective from passage*):

985 (a) Due to the following: Affordable, high quality
986 telecommunications services that meet the needs of individuals and
987 businesses in the state are necessary and vital to the welfare and
988 development of our society; the efficient provision of modern
989 telecommunications services by multiple providers will promote
990 economic development in the state; expanded employment
991 opportunities for residents of the state in the provision of
992 telecommunications services benefit the society and economy of the
993 state; and advanced telecommunications services enhance the delivery
994 of services by public and not-for-profit institutions, it is, therefore, the
995 goal of the state to (1) ensure the universal availability and accessibility
996 of high quality, affordable telecommunications services to all residents
997 and businesses in the state, (2) promote the development of effective
998 competition as a means of providing customers with the widest
999 possible choice of services, (3) utilize forms of regulation
1000 commensurate with the level of competition in the relevant
1001 telecommunications service market, (4) facilitate the efficient
1002 development and deployment of an advanced telecommunications
1003 infrastructure, including open networks with maximum
1004 interoperability and interconnectivity, (5) encourage shared use of
1005 existing facilities and cooperative development of new facilities where
1006 legally possible, and technically and economically feasible, and (6)
1007 ensure that providers of telecommunications services in the state
1008 provide high quality customer service and high quality technical
1009 service. The [department] authority shall implement the provisions of
1010 this section, sections 16-1, as amended by this act, 16-18a, 16-19, 16-19e,
1011 16-22, 16-247b, 16-247c, 16-247e to 16-247i, inclusive, as amended by
1012 this act, and 16-247k, as amended by this act, and subsection (e) of
1013 section 16-331 in accordance with these goals.

1014 (b) As used in sections 16-247a to 16-247c, inclusive, 16-247e to
1015 16-247i, inclusive, as amended by this act, 16-247k, as amended by this
1016 act, and sections 16-247m to 16-247r, inclusive:

1017 (1) "Affiliate" means a person, firm or corporation which, with
1018 another person, firm or corporation, is under the common control of
1019 the same parent firm or corporation.

1020 (2) "Competitive service" means (A) a telecommunications service
1021 deemed competitive in accordance with the provisions of section
1022 16-247f, (B) a telecommunications service reclassified by the
1023 [department] authority as competitive in accordance with the
1024 provisions of section 16-247f, or (C) a new telecommunications service
1025 provided under a competitive service tariff accepted by the
1026 [department] authority, in accordance with the provisions of section
1027 16-247f, provided the [department] authority has not subsequently
1028 reclassified the service set forth in subparagraph (A), (B) or (C) of this
1029 subdivision as noncompetitive pursuant to section 16-247f.

1030 (3) "Emerging competitive service" means (A) a telecommunications
1031 service reclassified as emerging competitive in accordance with the
1032 provisions of section 16-247f, or (B) a new telecommunications service
1033 provided under an emerging competitive service tariff accepted by the
1034 [department] authority, in accordance with the provisions of section
1035 16-247f, or of a plan for an alternative form of regulation approved
1036 pursuant to section 16-247k, as amended by this act, provided the
1037 [department] authority has not subsequently reclassified the service set
1038 forth in subparagraph (A) or (B) of this subdivision as competitive or
1039 noncompetitive pursuant to section 16-247f.

1040 (4) "Noncompetitive service" means (A) a telecommunications
1041 service deemed noncompetitive in accordance with the provisions of
1042 section 16-247f, (B) a telecommunications service reclassified by the
1043 [department] authority as noncompetitive in accordance with the
1044 provisions of section 16-247f, or (C) a new telecommunications service
1045 provided under a noncompetitive service tariff accepted by the
1046 [department] authority, in accordance with the provisions of section

1047 16-19, and any applicable regulations, or of a plan for an alternative
1048 form of regulation approved pursuant to section 16-247k, as amended
1049 by this act, provided the [department] authority has not subsequently
1050 reclassified the service set forth in subparagraph (A), (B) or (C) of this
1051 subdivision as competitive or emerging competitive pursuant to
1052 section 16-247f.

1053 (5) "Private telecommunications service" means any
1054 telecommunications service which is not provided for public hire as a
1055 common carrier service and is utilized solely for the
1056 telecommunications needs of the person that controls such service and
1057 any subsidiary or affiliate thereof, except for telecommunications
1058 service which enables two entities other than such person, subsidiary
1059 or affiliate to communicate with each other.

1060 (6) "Telecommunications service" means any transmission in one or
1061 more geographic areas (A) between or among points specified by the
1062 user, (B) of information of the user's choosing, (C) without change in
1063 the form or content of the information as sent and received, (D) by
1064 means of electromagnetic transmission, including but not limited to,
1065 fiber optics, microwave and satellite, (E) with or without benefit of any
1066 closed transmission medium and (F) including all instrumentalities,
1067 facilities, apparatus and services, except customer premises
1068 equipment, which are used for the collection, storage, forwarding,
1069 switching and delivery of such information and are essential to the
1070 transmission.

1071 (7) "Network elements" means "network elements", as defined in 47
1072 USC 153(a)(29).

1073 Sec. 15. Section 16-247i of the general statutes is repealed and the
1074 following is substituted in lieu thereof (*Effective from passage*):

1075 (a) Not later than January 1, 2007, and annually thereafter, the
1076 [department] authority shall submit a report to the joint standing
1077 committee of the General Assembly having cognizance of matters
1078 relating to energy and technology on the status of telecommunications

1079 service and regulation in the state of Connecticut. Such report shall
1080 include: (1) An analysis of universal service and any changes therein;
1081 (2) an analysis of the impact, if any, of competition in
1082 telecommunications markets on the work force of the state and
1083 employment opportunities in the telecommunications industry in the
1084 state; (3) an analysis of the level of regulation which the public interest
1085 requires; (4) the status of implementing the provisions of sections 16-
1086 247a to 16-247c, inclusive, 16-247e to 16-247h, inclusive, 16-247k, as
1087 amended by this act, and this section, including achieving each of the
1088 objectives of the goals set forth in section 16-247a; (5) the status of the
1089 development of competition for all telecommunications services; (6)
1090 the status of the deployment of telecommunications infrastructure in
1091 the state; and (7) the status of the implementation of sections 16-247f
1092 and 16-247i, as amended by this act, and section 3 of public act 06-144.

1093 (b) In compiling the information for this report, the [department]
1094 authority shall require, among other things, each telephone company
1095 to provide to the [department] authority annually: (1) Its aggregate
1096 number of telephone access lines in service, not including resold lines
1097 or other wholesale lines; (2) the annual change in such telephone
1098 company's access lines over the preceding five years; (3) the number of
1099 active wholesale customers served by the telephone company; (4) the
1100 nature of the wholesale services provided; (5) the number of wholesale
1101 service requests; (6) the impact of competition on the work force of the
1102 telephone company; (7) a general discussion of the state of the
1103 industry, industry trends, and competitive alternatives available in the
1104 market, including, but not limited to, technological changes affecting
1105 the market; (8) the number of competitive local exchange carriers; and
1106 (9) how long it takes the company to respond to a wholesale service
1107 request.

1108 Sec. 16. Section 16-247k of the general statutes is repealed and the
1109 following is substituted in lieu thereof (*Effective from passage*):

1110 (a) The [department] authority may, and is encouraged to,
1111 implement an alternative form of regulation, including, but not limited

1112 to, price indexing, price regulation, cost indexing or price benchmarks,
1113 for noncompetitive and emerging competitive services provided by a
1114 telephone company. Any such alternative form of regulation shall be
1115 developed for, and tailored to, the individual company. A plan for
1116 such an alternative form of regulation may be filed by a telephone
1117 company or developed at the initiative of the [department] authority.
1118 Prior to approval by the [department] authority of any such plan, the
1119 noncompetitive and emerging competitive services provided by a
1120 telephone company shall continue to be regulated in accordance with
1121 the provisions of sections 16-19 and 16-19e. Upon approval by the
1122 [department] authority of any such plan, the services to which the plan
1123 applies shall be regulated in accordance with the provisions of the
1124 plan, and the provisions of sections 16-19 and 16-19e shall not apply to
1125 such services.

1126 (b) Upon the filing of a proposed plan for alternative regulation by a
1127 telephone company, the [department] authority shall, after notice and
1128 hearing, issue a decision in which it approves, modifies or denies the
1129 proposed plan. The [department] authority shall approve the proposed
1130 or modified plan only if it finds that such plan (1) includes a pricing
1131 methodology that reasonably ensures that customers and other
1132 telecommunications companies have access to the noncompetitive
1133 services of the telephone company at just and reasonable rates which
1134 reflect prudent and efficient management, and that such access is
1135 available on nondiscriminatory terms and conditions, (2) is designed to
1136 streamline, minimize the costs of and maximize the effectiveness of
1137 regulation for the telephone company, (3) encourages prudent
1138 infrastructure investment and improvements in productivity and
1139 service quality for noncompetitive services, (4) does not impede the
1140 continued development of competition for the noncompetitive services
1141 or disadvantage the provision of emerging competitive or competitive
1142 services by the telephone company, (5) ensures that the investment
1143 risk associated with the provision of competitive and emerging
1144 competitive services by the telephone company shall not be borne by
1145 customers of noncompetitive services, (6) notwithstanding the
1146 provisions of sections 16-19, 16-19e and 16-22 and subsection (a) of this

1147 section, includes a mechanism by which the [department] authority
1148 may monitor the earnings of the affected company over a monitoring
1149 period, (7) is in the public interest, and (8) is consistent with the goals
1150 set forth in section 16-247a.

1151 (c) During the monitoring period of an approved plan for an
1152 alternative form of regulation, the telephone company shall use any
1153 earnings in excess of a ceiling approved by the [department] authority
1154 to offset the depreciation reserve deficiency of the company.

1155 (d) Following the monitoring period, an approved plan for
1156 alternative regulation of a telephone company shall continue unless or
1157 until the [department] authority (1) changes the form of regulation
1158 pursuant to an application filed by the company, or (2) determines that
1159 the plan does not continue to meet the criteria set forth in subsection
1160 (b) of this section. Upon such change or determination, the
1161 [department] authority may order a different form of alternative
1162 regulation consistent with the criteria set forth in subsection (b) of this
1163 section. If the [department] authority finds that competition has not
1164 developed or will not develop for certain services, the [department]
1165 authority may apply traditional cost-based rate of return regulation to
1166 those noncompetitive services.

1167 (e) The [department] authority may modify a plan for an alternative
1168 form of regulation which it approved pursuant to this section and
1169 which is in effect if the [department] authority determines such
1170 modification is required due to previously unforeseen circumstances,
1171 including, but not limited to, allowing the company to recover the
1172 reasonable costs of security of assets, facilities and equipment, both
1173 existing and foreseeable, that are incurred solely for the purpose of
1174 responding to security needs associated with the terrorist attacks on
1175 September 11, 2001, and the continuing war on terrorism.

1176 Sec. 17. Subsection (i) of section 16-254o of the general statutes is
1177 repealed and the following is substituted in lieu thereof (*Effective from*
1178 *passage*):

1179 (i) Any violation or failure to comply with any provision of this
1180 section shall be subject to (1) civil penalties by the [department]
1181 authority in accordance with section 16-41, (2) the suspension or
1182 revocation of an electric supplier or aggregator's license, or (3) a
1183 prohibition on accepting new customers following a hearing that is
1184 conducted as a contested case in accordance with chapter 54.

1185 Sec. 18. Subsection (e) of section 16-256i of the general statutes is
1186 repealed and the following is substituted in lieu thereof (*Effective from*
1187 *passage*):

1188 (e) The [department] authority shall adopt regulations in accordance
1189 with the provisions of chapter 54 to implement the provisions in this
1190 section.

1191 Sec. 19. Subsection (f) of section 16-256i of the general statutes is
1192 repealed and the following is substituted in lieu thereof (*Effective from*
1193 *passage*):

1194 (f) A telecommunications company, or its affiliate or authorized
1195 representative using telemarketing to initiate the sale of
1196 telecommunications services, which the [department] authority
1197 determines, after notice and opportunity for a hearing as provided in
1198 section 16-41, has failed to comply with the provisions of this section or
1199 section 16-256j shall pay to the state a civil penalty of not more than ten
1200 thousand dollars per violation.

1201 Sec. 20. Section 16-280c of the general statutes is repealed and the
1202 following is substituted in lieu thereof (*Effective from passage*):

1203 Each federal safety standard applicable to pipeline facilities and the
1204 transportation of gas established under the provisions of the federal
1205 act, as the same are, from time to time, made effective, or any
1206 regulation adopted by the [department] authority pursuant to
1207 subsection (b) or (c) of section 16-280b shall be the standards of the
1208 state.

1209 Sec. 21. Section 16-331a of the general statutes is repealed and the

1210 following is substituted in lieu thereof (*Effective from passage*):

1211 (a) As used in this section, "multichannel video programming
1212 distributor" means a multichannel video programming distributor, as
1213 defined in 47 CFR 76.1300, as from time to time amended, and includes
1214 an owner of an open video system, as defined in 47 CFR 76.1500, as
1215 from time to time amended.

1216 (b) Each company or organization selected pursuant to subsection
1217 (c) of this section, in consultation with the franchise's advisory council,
1218 shall provide facilities, equipment, and technical and managerial
1219 support to enable the production of meaningful community access
1220 programming within its franchise area. Each company shall include all
1221 its community access channels in its basic service package. Each
1222 company or organization shall annually review its rules, regulations,
1223 policies and procedures governing the provision of community access
1224 programming. Such review shall include a period for public comment,
1225 a public meeting and consultation with the franchise's advisory
1226 council.

1227 (c) If a community-based nonprofit organization in a franchise area
1228 desires to assume responsibility for community access operations, it
1229 shall, upon timely petition to the [department] authority, be granted
1230 intervenor status in a franchise proceeding held pursuant to this
1231 section. The [department] authority shall assign this responsibility to
1232 the most qualified community-based nonprofit organization or the
1233 company based on the following criteria: (1) The recommendations of
1234 the advisory council and of the municipalities in the franchise area; (2)
1235 a review of the organization's or the company's performance in
1236 providing community access programming; (3) the operating plan
1237 submitted by the organization and the company for providing
1238 community access programming; (4) the experience in community
1239 access programming of the organization; (5) the organization's and the
1240 company's proposed budget, including expenses for salaries,
1241 consultants, attorneys, and other professionals; (6) the quality and
1242 quantity of the programming to be created, promoted or facilitated by

1243 the organization or the company; (7) a review of the organization's
1244 procedures to ensure compliance with federal and state law, including
1245 the regulations of Connecticut state agencies; and (8) any other criteria
1246 determined to be relevant by the [department] authority. If the
1247 [department] authority selects an organization to provide community
1248 access operations, the company shall provide financial and technical
1249 support to the organization in an amount to be determined by the
1250 [department] authority. On petition of the Office of Consumer Counsel
1251 or the franchise's advisory council or on its own motion, the
1252 [department] authority shall hold a hearing, with notice, on the ability
1253 of the organization to continue its responsibility for community access
1254 operations. In its decision following such a hearing, the [department]
1255 authority may reassign the responsibility for community access
1256 operations to another organization or the company in accordance with
1257 the provisions of this subsection.

1258 (d) Each company or organization shall conduct outreach programs
1259 and promote its community access services. Such outreach and
1260 promotion may include, but not be limited to (1) broadcasting cross-
1261 channel video announcements, (2) distributing information throughout
1262 the franchise area and not solely to its subscribers, (3) including
1263 community access information in its regular marketing publications,
1264 (4) broadcasting character-generated text messages or video
1265 announcements on barker or access channels, (5) making speaking
1266 engagements, (6) holding open receptions at its community access
1267 facilities, and (7) in multitown franchise areas, encouraging the
1268 formation and development of local community access studios
1269 operated by volunteers or nonprofit operating groups.

1270 (e) Each company or organization shall adopt for its community
1271 access programming a scheduling policy which encourages
1272 programming diversity. Said scheduling policy shall include (1)
1273 limiting a program, except instructional access and governmental
1274 access programming, to thirteen weeks in any one time slot when a
1275 producer of another program requests the same time slot, (2)
1276 procedures for resolving program scheduling conflicts, and (3) other

1277 measures which the company or organization deems appropriate. A
1278 company or organization may consider the availability of a
1279 substantially similar time slot when making community access
1280 programming scheduling decisions.

1281 (f) In the case of any initial, transfer or renewal franchise proceeding
1282 held on or after October 1, 1990, the [department] authority may, on its
1283 own initiative, in the first six months of the second, fifth, eighth and
1284 eleventh years of the franchise term, review and evaluate the
1285 company's or the organization's provision of community access
1286 programming. The [department] authority shall conduct such review
1287 or evaluation in any such proceeding held on or after October 1, 1990,
1288 if the Consumer Counsel or any interested party petitions the
1289 [department] authority for such a review during the first six months of
1290 the review year. During any such review year, if an organization
1291 desires to provide community access operations it shall petition the
1292 [department] authority and the [department] authority shall follow the
1293 procedures and standards described in subsection (c) of this section in
1294 determining whether to assign to the organization the responsibility to
1295 provide such operations. No community access programming
1296 produced using the facilities or staff of an organization or company
1297 providing community access operations shall be utilized for
1298 commercial purposes without express prior written agreement
1299 between the producer of such programming and the organization or
1300 company providing community access operations the facilities or staff
1301 of which were used in the production of the programming. Such an
1302 agreement may include, without limitation, a provision regarding the
1303 producer and the company or organization sharing any profit realized
1304 from such programming so utilized. An organization providing
1305 community access operations shall consult with the company in the
1306 franchise area prior to making such an agreement.

1307 (g) No organization or company providing community access
1308 operations shall exercise editorial control over such programming,
1309 except as to programming that is obscene and except as otherwise
1310 allowed by applicable state and federal law. This subsection shall not

1311 be construed to prohibit such organization or company from limiting
1312 the hours during which adult programs may be aired. Such
1313 organization or company may consult with the advisory council in
1314 determining what constitutes an adult program for purposes of this
1315 subsection.

1316 (h) Upon the request of the Office of Consumer Counsel or the
1317 franchise's advisory council, and for good cause shown the
1318 [department] authority shall require an organization responsible for
1319 community access operations to have an independent audit conducted
1320 at the expense of the organization. For purposes of this subsection,
1321 "good cause" may include, but not be limited to, the failure or refusal
1322 of such organization (1) to account for and reimburse the community
1323 access programming budget for its commercial use of community
1324 access programming facilities, equipment or staff, or for the allocation
1325 of such facilities, equipment or staff to functions not directly related to
1326 the community access operations of the franchise, (2) to carry over
1327 unexpended community access programming budget accounts at the
1328 end of each fiscal year, (3) to properly maintain community access
1329 programming facilities or equipment in good repair, or (4) to plan for
1330 the replacement of community access programming equipment made
1331 obsolete by technological advances. In response to any such request,
1332 the [department] authority shall state, in writing, the reasons for its
1333 determination.

1334 (i) Each company and nonprofit organization providing community
1335 access operations shall report annually to the [department] authority
1336 on or before February fifteenth. The [department] authority shall adopt
1337 regulations, in accordance with the provisions of chapter 54, to specify
1338 the information which shall be required in such report. Such
1339 information shall be necessary for the [department] authority to carry
1340 out the provisions of this section.

1341 (j) The advisory council shall review all community access
1342 programming of a company or organization within the franchise area
1343 which programming has been the subject of a complaint.

1344 (k) The [department] authority shall establish the amount that the
1345 company or organization responsible for community access operations
1346 shall receive for such operations from subscribers and from
1347 multichannel video programming distributors. The amount shall be
1348 five dollars per subscriber per year, adjusted annually by a percentage
1349 reflecting the increase or decrease of the consumer price index for the
1350 preceding calendar year, provided the [department] authority may
1351 increase or decrease the amount by not more than forty per cent of said
1352 amount for the subscribers and all multichannel video programming
1353 distributors within a franchise area after considering (1) the criteria set
1354 forth in subsection (c) of this section, (2) the level of public interest in
1355 community access operations in the franchise area, (3) the level of
1356 community need for educational access programming, (4) the level and
1357 breadth of participation in community access operations, (5) the
1358 adequacy of existing facilities, equipment and training programs to
1359 meet the current and future needs of the franchise area, and (6) any
1360 other factors determined to be relevant by the [department] authority.
1361 Prior to increasing or decreasing said amount, the [department]
1362 authority shall give notice and opportunity for a hearing to the
1363 company or multichannel video programming distributor and, where
1364 applicable, the organization responsible for community access
1365 programming. The amount shall be assessed once each year for each
1366 end user premises connected to an open video system, irrespective of
1367 the number of multichannel video programming distributors
1368 providing programming over the open video system. When the
1369 [department] authority issues, transfers or renews a certificate of
1370 public convenience and necessity to operate a community antenna
1371 television system, the [department] authority shall include in the
1372 franchise agreement the amount that the company or organization
1373 responsible for community access operations shall receive for such
1374 operations from subscribers. The [department] authority shall conduct
1375 a proceeding to establish the amount that the company or organization
1376 responsible for community access operations shall receive for such
1377 operations from multichannel video programming distributors and the
1378 method of payment of said amount. The [department] authority shall

1379 adopt regulations in accordance with chapter 54 to implement the
1380 provisions of this subsection.

1381 (l) An organization assigned responsibility for community access
1382 operations which organization ceases to provide such operations shall
1383 transfer its assets to the successor organization assigned such
1384 responsibility or, if no successor organization is assigned such
1385 responsibility, to another nonprofit organization within the franchise
1386 area selected by the [department] authority.

1387 (m) On petition or its own motion, the [department] authority shall
1388 determine whether a franchise area is subject to effective competition,
1389 as defined in 47 USC 543, as from time to time amended. Upon a
1390 determination that a franchise area is subject to effective competition,
1391 the provisions of this section shall apply to multichannel video
1392 programming distributors operating in the franchise area, provided (1)
1393 where multichannel video programming distributors provide
1394 programming over a single open video system, the provisions of this
1395 section shall apply jointly and not separately to all such distributors
1396 providing programming on the same open video system, and (2) the
1397 provisions of subsection (k) of this section shall apply to multichannel
1398 video programming distributors whether or not such distributors
1399 operate in a franchise area subject to such effective competition.

1400 (n) No community antenna television company or nonprofit
1401 organization providing community access operations shall refuse to
1402 engage in good faith negotiation regarding interconnection of such
1403 operations with other community antenna television companies
1404 serving the same area. No school or facility owned or leased by a
1405 municipal government that possesses community access operations
1406 equipment shall unreasonably deny interconnection with or the use of
1407 such equipment to any such company or nonprofit organization. At
1408 the request of such a company or nonprofit organization providing
1409 community access operations, the [department] authority may
1410 facilitate the negotiation between such company or organization and
1411 any other community antenna television company regarding

1412 interconnection of community access operations.

1413 (o) Each company or organization shall consult with its advisory
1414 council in the formation of a community access programming policy,
1415 the adoption of the community access programming budget and the
1416 allocation of capital equipment and community access programming
1417 resources.

1418 Sec. 22. Section 16-333k of the general statutes is repealed and the
1419 following is substituted in lieu thereof (*Effective from passage*):

1420 Each community antenna television system shall: (1) Operate a
1421 business office in the franchise area or in an immediately adjacent
1422 franchise area if approved by the [department] authority that shall be
1423 open during normal business hours, (2) operate sufficient telephone
1424 lines, including a toll-free number or any other free calling option, as
1425 approved by the [department] authority, staffed by a company
1426 customer service representative during normal business hours for any
1427 community antenna television system, having less than thirty
1428 thousand customers, and from 9 o'clock a.m. until 11 o'clock p.m.
1429 Monday through Friday, and from 9 o'clock a.m. until 1 o'clock p.m.
1430 Saturday for any community antenna television system, having more
1431 than thirty thousand customers, to receive subscriber inquiries,
1432 complaints, repair requests, requests for billing adjustments and other
1433 service-related requests, (3) connect each such call to a company
1434 customer service representative within two minutes during normal
1435 business hours, unless there is an emergency in which case the
1436 customer should receive a recorded message describing the problem
1437 and offering assistance, (4) provide for an answering service to receive
1438 such inquiries, complaints, and requests during such times when the
1439 company is not required to staff a toll-free number or any other free
1440 calling option, as approved by the [department] authority, (5) have
1441 sufficient personnel on duty as required by subdivision (2) of this
1442 section to receive subscriber inquiries, complaints, repair requests,
1443 requests for billing adjustments and other service-related requests and
1444 to respond to all such inquiries, complaints and requests not later than

1445 the close of the next business day after receipt thereof, except as
1446 provided by section 16-333i, (6) keep adequate records of all
1447 complaints and their final disposition, which shall be in such form as
1448 the [department] authority prescribes, and (7) follow the written
1449 procedures for resolving subscriber complaints and billing disputes, in
1450 accordance with subsection (d) of section 16-333l and such additional
1451 requirements as the [department] authority shall prescribe, and
1452 provide a copy of such procedures to each subscriber at the time of the
1453 initial subscription and at least annually thereafter.

1454 Sec. 23. Section 16-346 of the general statutes is repealed and the
1455 following is substituted in lieu thereof (*Effective from passage*):

1456 No person, public agency or public utility shall engage in
1457 excavation or discharge explosives at or near the location of a public
1458 utility underground facility or demolish a structure located at or near
1459 or containing a public utility facility without having first ascertained
1460 the location of all underground facilities of public utilities in the area
1461 of such excavation, discharge or demolition in the manner prescribed
1462 in this chapter and in such regulations as the [department] authority
1463 shall adopt pursuant to section 16-357.

1464 Sec. 24. Section 16-350 of the general statutes is repealed and the
1465 following is substituted in lieu thereof (*Effective from passage*):

1466 Any permit issued by a public agency for excavation, demolition or
1467 discharge of explosives shall require compliance with this chapter. No
1468 such permit shall be issued by any public agency unless such public
1469 agency receives satisfactory evidence from the person, public agency
1470 or public utility seeking such permit that the requirements of this
1471 chapter have been met. Such evidence shall be obtained from the
1472 central clearinghouse and shall be in such form as the [department]
1473 authority may prescribe by regulations pursuant to section 16-357.

1474 Sec. 25. Section 16-351 of the general statutes is repealed and the
1475 following is substituted in lieu thereof (*Effective from passage*):

1476 A public utility receiving notice pursuant to section 16-349 shall
1477 inform the person, public agency or public utility proposing to
1478 excavate, discharge explosives or demolish a structure of the
1479 approximate location of its underground facilities in the area in such
1480 manner as will enable such person, public agency or public utility to
1481 establish the precise location of the underground facilities, and shall
1482 provide such other assistance in establishing the precise location of the
1483 underground facilities as the [department] authority may require by
1484 regulation pursuant to section 16-357. Such person, public agency or
1485 public utility shall designate the area of the proposed excavation,
1486 demolition or discharge of explosives as the [department] authority
1487 may prescribe by regulation. The public utility receiving notice shall
1488 mark the approximate location of its underground facilities in such
1489 manner and using such methods, including color coding, as the
1490 [department] authority may prescribe by regulation. If the precise
1491 location of the underground facilities cannot be established, the
1492 person, public agency or public utility shall so notify the public utility
1493 whose facilities may be affected, which shall provide such further
1494 assistance as may be needed to determine the precise location of the
1495 underground facilities in advance of the proposed excavation,
1496 discharge of explosives or demolition.

1497 Sec. 26. Section 16-354 of the general statutes is repealed and the
1498 following is substituted in lieu thereof (*Effective from passage*):

1499 A person, public agency or public utility responsible for excavating,
1500 discharging explosives or demolition shall exercise reasonable care
1501 when working in proximity to the underground facilities of any public
1502 utility and shall comply with such safety standards and other
1503 requirements as the [department] authority shall prescribe by
1504 regulation pursuant to section 16-357. If the facilities are likely to be
1505 exposed, such support shall be provided as may be reasonably
1506 necessary for protection of the facilities. If gas facilities are likely to be
1507 exposed, only hand digging shall be employed.

1508 Sec. 27. Subsection (c) of section 16a-46e of the general statutes is

1509 repealed and the following is substituted in lieu thereof (*Effective from*
1510 *passage*):

1511 (c) No person shall receive a rebate pursuant to this section for a
1512 furnace or boiler replacement if such person has received a monetary
1513 grant for the same furnace or boiler replacement under [any program
1514 administered by] any other state or federal grant program that pays
1515 the full cost of furnace or boiler replacement. A person using a state or
1516 federal low interest loan program to pay for the cost of furnace or
1517 boiler replacement may be eligible for a rebate pursuant to this section.
1518 In no event shall a rebate exceed the total expenditures for such
1519 furnace or boiler replacement.

1520 Sec. 28. Section 22-11e of the general statutes is repealed and the
1521 following is substituted in lieu thereof (*Effective from passage*):

1522 (a) There shall be an Interagency Aquaculture Coordinating
1523 Committee comprised of the Departments of Agriculture, Energy and
1524 Environmental Protection, and Economic and Community
1525 Development to provide for the development and enhancement of
1526 aquaculture in this state. The Commissioner of Agriculture shall serve
1527 as chairperson of said committee and shall convene the committee as
1528 often as he deems necessary.

1529 (b) On or before October 1, 1995, the Interagency Aquaculture
1530 Coordinating Committee shall develop a comprehensive strategy for
1531 the development of aquaculture in this state.

1532 Sec. 29. Subsection (b) of section 4b-1c of the general statutes is
1533 repealed and the following is substituted in lieu thereof (*Effective from*
1534 *passage*):

1535 (b) (1) Wherever the term "Commissioner of Public Works" is used
1536 in the following general statutes, the term "Commissioner of
1537 Construction Services" shall be substituted in lieu thereof; and (2)
1538 wherever the term "Department of Public Works" is used in the
1539 following general statutes, the term "Department of Construction

1540 Services" shall be substituted in lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-
1541 1a, 4b-16, 4b-22a, 4b-51, 4b-51a, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-
1542 60, 4b-63, 4b-70, 4b-91, 4b-100, 4b-100a, 4b-102, 4b-103, 5-142, 7-323p,
1543 10a-4a, 10a-91c, 10a-91d, 13b-20n, [16a-37u, 16a-37v,] 16a-38, 16a-38a,
1544 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38l, 16a-38m, 16a-39, 17a-27, 17a-
1545 27c, 17a-27d, 17a-451b, 17b-739, 22-64, 22a-6, 22a-12, 22a-439a, 22a-459,
1546 26-3, 27-45, 27-131, 28-1b, 31-57, 32-612, 32-613, 32-655a, 32-656 and 49-
1547 41b.

1548 Sec. 30. Subdivision (30) of subsection (a) of section 16-1 of the
1549 general statutes is repealed and the following is substituted in lieu
1550 thereof (*Effective from passage*):

1551 (30) "Electric supplier" means any person, including an electric
1552 aggregator or participating municipal electric utility that is licensed by
1553 the Public Utilities Regulatory Authority in accordance with section
1554 16-245, that provides electric generation services to end use customers
1555 in the state using the transmission or distribution facilities of an
1556 electric distribution company, regardless of whether or not such
1557 person takes title to such generation services, but does not include: (A)
1558 A municipal electric utility established under chapter 101, other than a
1559 participating municipal electric utility; (B) a municipal electric energy
1560 cooperative established under chapter 101a; (C) an electric cooperative
1561 established under chapter 597; or (D) any other electric utility owned,
1562 leased, maintained, operated, managed or controlled by any unit of
1563 local government under any general statute or special act; [or (E) an
1564 electric distribution company in its provision of electric generation
1565 services in accordance with subsection (a) or, prior to January 1, 2004,
1566 subsection (c) of section 16-244c;]

1567 Sec. 31. Subdivision (41) of subsection (a) of section 16-1 of the
1568 general statutes is repealed and the following is substituted in lieu
1569 thereof (*Effective from passage*):

1570 (41) "Federally mandated congestion charges" means any cost
1571 approved by the Federal Energy Regulatory Commission as part of
1572 New England Standard Market Design including, but not limited to,

1573 locational marginal pricing, locational installed capacity payments, any
1574 cost approved by the Public Utilities Regulatory Authority to reduce
1575 federally mandated congestion charges in accordance with section 7-
1576 233y, this section, sections [16-19ss,] 16-32f, 16-50i, 16-50k, as amended
1577 by this act, 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended
1578 by this act, 16-244e, 16-245m, 16-245n and 16-245z, and section 21 of
1579 public act 05-1 of the June special session and reliability must run
1580 contracts;

1581 Sec. 32. Section 16-19kk of the general statutes is repealed and the
1582 following is substituted in lieu thereof (*Effective from passage*):

1583 (a) The General Assembly finds that if the earnings of electric, gas,
1584 telephone and water public service companies, as defined in section
1585 16-1, as amended by this act, are adversely affected by such companies'
1586 conservation and load management programs or other programs
1587 promoting the state's economic development, energy and other policy,
1588 those companies will have a disincentive to implement such programs.
1589 The General Assembly further finds that in order to further the
1590 implementation of such programs the earnings of electric, gas,
1591 telephone and water companies should be consistent with the
1592 principles and guidelines set forth in sections 16-19e [, 16-19aa] and 16-
1593 19kk to 16-19oo, inclusive, as amended by this act, and 16a-49
1594 notwithstanding participation in conservation and load management
1595 programs and other programs authorized by the Public Utilities
1596 Regulatory Authority, promoting the state's economic development,
1597 energy and other policy.

1598 (b) The authority shall complete, on or before December 31, 1991, an
1599 investigation into the relationship between a company's volume of
1600 sales and its earnings. The authority shall, on or before July 1, 1993,
1601 implement rate-making and other procedures and practices in order to
1602 encourage the implementation of conservation and load management
1603 programs and other programs authorized by the authority promoting
1604 the state's economic development, energy and other policy. Such
1605 procedures to implement a modification or elimination of any direct

1606 relationship between the volume of sales and the earnings of electric,
1607 gas, telephone and water companies may include the adoption of a
1608 sales adjustment clause pursuant to subsection (i) of section 16-19b, or
1609 other adjustment clause similar thereto. The authority's investigation
1610 shall include a review of its regulations and policies to identify any
1611 existing disincentives to the development and implementation of cost
1612 effective conservation and load management programs and other
1613 programs promoting the state's economic development, energy and
1614 other policy.

1615 (c) Notwithstanding the provisions of subdivision (4) of subsection
1616 (a) of section 16-19e, in a proceeding under subsection (a) of section 16-
1617 19 the authority shall consider for an electric, gas, telephone or water
1618 public service company, as defined in section 16-1, as amended by this
1619 act, in establishing the company's authorized return within the range
1620 of reasonable rates of return: Quality, reliability and cost of service
1621 provided by the company, the reduced or shifted demand for
1622 electricity, gas or water resulting from the company's conservation and
1623 load management programs approved by the authority, the company's
1624 successful implementation of programs supporting economic
1625 development of the state and the company's success in decreasing or
1626 constraining dependence on the use of petroleum or any other criteria
1627 consistent with the state energy or other policy. The authority may also
1628 establish other performance-based incentives both related and
1629 unrelated to the company's rate of return designed to implement the
1630 purposes of said sections 16-19e, [16-19aa,] 16-19kk to 16-19oo,
1631 inclusive, as amended by this act, and 16a-49.

1632 (d) In any proceeding before the authority in which a company
1633 seeks beneficial rate treatment pursuant to this section, the Office of
1634 Consumer Counsel may retain independent experts to provide
1635 analysis, evaluation and testimony to address the issue of the
1636 appropriateness of such beneficial treatment under consideration in
1637 the proceeding, and all reasonable and proper expenses, to provide
1638 such analysis, evaluation and testimony, to a maximum of fifty
1639 thousand dollars per proceeding, shall be paid by the company and

1640 shall be proper rate-making expenses.

1641 (e) The Public Utilities Regulatory Authority may adopt regulations,
1642 in accordance with the provisions of chapter 54, to carry out the
1643 purposes of this section.

1644 Sec. 33. Subsection (a) of section 16-50k of the general statutes is
1645 repealed and the following is substituted in lieu thereof (*Effective from*
1646 *passage*):

1647 (a) Except as provided in subsection (b) of section 16-50z, no person
1648 shall exercise any right of eminent domain in contemplation of,
1649 commence the preparation of the site for, commence the construction
1650 or supplying of a facility, or commence any modification of a facility,
1651 that may, as determined by the council, have a substantial adverse
1652 environmental effect in the state without having first obtained a
1653 certificate of environmental compatibility and public need, hereinafter
1654 referred to as a "certificate", issued with respect to such facility or
1655 modification by the council. Certificates shall not be required for (1)
1656 fuel cells built within the state with a generating capacity of two
1657 hundred fifty kilowatts or less, or (2) fuel cells built out of state with a
1658 generating capacity of ten kilowatts or less. Any facility with respect to
1659 which a certificate is required shall thereafter be built, maintained and
1660 operated in conformity with such certificate and any terms, limitations
1661 or conditions contained therein. Notwithstanding the provisions of this
1662 chapter or title 16a, the council shall, in the exercise of its jurisdiction
1663 over the siting of generating facilities, approve by declaratory ruling
1664 (A) the construction of a facility solely for the purpose of generating
1665 electricity, other than an electric generating facility that uses nuclear
1666 materials or coal as fuel, at a site where an electric generating facility
1667 operated prior to July 1, 2004, and (B) the construction or location of
1668 any fuel cell, unless the council finds a substantial adverse
1669 environmental effect, or of any customer-side distributed resources
1670 project or facility or grid-side distributed resources project or facility
1671 with a capacity of not more than sixty-five megawatts, as long as such
1672 project meets air and water quality standards of the Department of

1673 Energy and Environmental Protection, [and (C) the siting of
1674 temporary generation solicited by the Public Utilities Regulatory
1675 Authority pursuant to section 16-19ss.]

1676 Sec. 34. Subsection (k) of section 16-243m of the general statutes is
1677 repealed and the following is substituted in lieu thereof (*Effective from*
1678 *passage*):

1679 (k) The authority may order an electric distribution company to
1680 submit a proposal pursuant to the provisions of this section and may
1681 approve such a proposal under this section. Nothing in sections 16-1,
1682 as amended by this act, [16-19ss,] 16-32f, 16-50i, 16-50k, as amended by
1683 this act, 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by
1684 this act, 16-244e, 16-245d, 16-245m, as amended by this act, 16-245n
1685 and 16-245z and section 21 of public act 05-1 of the June special session
1686 shall limit the authority's ability to conduct requests for proposals, in
1687 addition to that in subsection (c) of this section, to reduce federally
1688 mandated congestion charges and to approve such proposals or
1689 otherwise to meet its responsibility under this title.

1690 Sec. 35. Subsection (a) of section 16-243p of the general statutes is
1691 repealed and the following is substituted in lieu thereof (*Effective from*
1692 *passage*):

1693 (a) An electric distribution company may recover its costs and
1694 investments that have been prudently incurred under the provisions of
1695 sections 16-1, as amended by this act, [16-19ss,] 16-50k, as amended by
1696 this act, 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by
1697 this act, 16-244e, 16-245d, 16-245m, as amended by this act, 16-245n, 16-
1698 245z and 16-262i and section 21 of public act 05-1 of the June special
1699 session. The Public Utilities Regulatory Authority shall, after a hearing
1700 held pursuant to the provisions of chapter 54, determine the
1701 appropriate mechanism to obtain cost recovery in a timely manner
1702 which mechanism may be one or more of the following: (1) Approval
1703 of rates as provided in sections 16-19 and 16-19e; (2) the energy
1704 adjustment clause as provided in section 16-19b; or (3) the federally
1705 mandated congestion charges, as defined in section 16-1, as amended

1706 by this act. If an electric distribution company has, for six consecutive
1707 months, earned a return on equity below the return authorized by the
1708 authority, earnings of such electric distribution companies that are
1709 adversely affected owing to decreased energy use attributable to
1710 implementation of the provisions of sections 16-1, as amended by this
1711 act, [16-19ss,] 16-50k, as amended by this act, 16-50x, 16-243i to 16-
1712 243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-245d, 16-
1713 245m, as amended by this act, 16-245n, 16-245z and 16-262i and section
1714 21 of public act 05-1 of the June special session, are recoverable
1715 pursuant to the provisions of section 16-19kk, as amended by this act.

1716 Sec. 36. Section 16-243r of the general statutes is repealed and the
1717 following is substituted in lieu thereof (*Effective from passage*):

1718 The provisions of sections 7-233y, 16-1, as amended by this act, [16-
1719 19ss,] 16-32f, 16-50i, 16-50k, as amended by this act, 16-50x, 16-243i to
1720 16-243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-245d,
1721 16-245m, as amended by this act, 16-245n, 16-245z and 16-262i and
1722 section 21 of public act 05-1 of the June special session apply to new
1723 customer-side distributed resources and grid-side distributed
1724 resources developed in this state that add electric capacity on and after
1725 January 1, 2006, and shall also apply to customer-side distributed
1726 resources and grid-side distributed resources developed in this state
1727 before January 1, 2007, that (1) have undergone upgrades that increase
1728 the resource's thermal efficiency operating level by no fewer than ten
1729 percentage points or, for resources that have a thermal efficiency level
1730 of at least seventy per cent, have undergone upgrades that increase the
1731 resource's turbine heat rate by no fewer than five percentage points
1732 and increase the electrical output of the resource by no fewer than ten
1733 percentage points, (2) operate at a thermal efficiency level of at least
1734 fifty per cent, and (3) add electric capacity in this state on or after
1735 January 1, 2007, provided such measure is in accordance with the
1736 provisions of said sections 7-233y, 16-1, as amended by this act, [16-
1737 19ss,] 16-32f, 16-50i, 16-50k, as amended by this act, 16-50x, 16-243i to
1738 16-243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-245d,
1739 16-245m, as amended by this act, 16-245n, 16-245z and 16-262i and

1740 section 21 of public act 05-1 of the June special session. On or before
1741 January 1, 2009, the Public Utilities Regulatory Authority, in
1742 consultation with the Office of Consumer Counsel, shall report to the
1743 joint standing committee of the General Assembly having cognizance
1744 of matters relating to energy regarding the cost-effectiveness of
1745 programs pursuant to this section.

1746 Sec. 37. Subsection (b) of section 16-244e of the general statutes is
1747 repealed and the following is substituted in lieu thereof (*Effective from*
1748 *passage*):

1749 (b) Not later than August 1, 1998, the Public Utilities Regulatory
1750 Authority shall hold a hearing and issue a final order that unbundles
1751 prices or rates for electric generation services for each electric company
1752 from all other charges. Any hearing shall be conducted as a contested
1753 case in accordance with chapter 54. On and after July 1, 1999, each
1754 electric company or electric distribution company, as the case may be,
1755 shall provide all customers with a bill that separates the electric
1756 generation services component of those charges. [Any unbundling of
1757 charges for electric generation services under this subsection shall not
1758 affect the calculation of base rates under section 16-244a.]

1759 Sec. 38. Section 16-244l of the general statutes is repealed and the
1760 following is substituted in lieu thereof (*Effective from passage*):

1761 The administrator of any project utilizing fuel cells with an
1762 electricity purchase agreement entered into and approved by the
1763 Public Utilities Regulatory Authority pursuant to subsection [(j)] (h) of
1764 section 16-244c, as amended by this act, with a generating capacity of
1765 not greater than five megawatts, to be sited within fifty feet of a
1766 natural gas transmission facility that operates at pressures in excess of
1767 one hundred fifty pounds, may submit a request to said authority for a
1768 modification to such purchase agreement that would permit the
1769 project to move to an alternative location and allow for an equitable
1770 adjustment in contract pricing to account for any change in the project
1771 attributable to the change in location. Said authority shall open a
1772 docket to review such modification request not later than thirty days

1773 after receipt of such request. Said authority may approve such
1774 modification request not later than one hundred twenty days after
1775 receipt of such request. Factors affecting such modification shall be
1776 limited to location, contract pricing and schedule attributable to the
1777 change in location. No existing electricity purchase agreement shall be
1778 cancelled or deemed in noncompliance by an electric distribution
1779 company until such modification is approved.

1780 Sec. 39. Subsection (d) of section 16-244r of the general statutes is
1781 repealed and the following is substituted in lieu thereof (*Effective from*
1782 *passage*):

1783 (d) Notwithstanding subdivision (1) of subsection [(j)] (h) of section
1784 16-244c, as amended by this act, an electric distribution company may
1785 retire the renewable energy credits it procures through long-term
1786 contracting to satisfy its obligation pursuant to section 16-245a.

1787 Sec. 40. Subsection (d) of section 16-244t of the general statutes is
1788 repealed and the following is substituted in lieu thereof (*Effective from*
1789 *passage*):

1790 (d) Notwithstanding subdivision (1) of subsection [(j)] (h) of section
1791 16-244c, as amended by this act, an electric distribution company may
1792 retire the renewable energy credits it procures through long-term
1793 contracting to satisfy its obligation pursuant to section 16-245a.

1794 Sec. 41. Subsection (c) of section 16-244v of the general statutes is
1795 repealed and the following is substituted in lieu thereof (*Effective from*
1796 *passage*):

1797 (c) Notwithstanding the provisions of subdivision (1) of subsection
1798 [(j)] (h) of section 16-244c, as amended by this act, the amount of
1799 renewable energy produced from such facilities shall be applied to
1800 reduce the electric distribution company's Class I renewable energy
1801 source portfolio standard obligations.

1802 Sec. 42. Subsection (k) of section 16-245 of the general statutes is
1803 repealed and the following is substituted in lieu thereof (*Effective from*

1804 *passage*):

1805 (k) Any licensee who fails to comply with a license condition or who
1806 violates any provision of this section, except for the renewable
1807 portfolio standards contained in subsection (g) of this section, shall be
1808 subject to civil penalties by the Public Utilities Regulatory Authority in
1809 accordance with section 16-41, or the suspension or revocation of such
1810 license or a prohibition on accepting new customers following a
1811 hearing that is conducted as a contested case in accordance with
1812 chapter 54. Notwithstanding the provisions of subsection [(d)] (b) of
1813 section 16-244c, as amended by this act, regarding an alternative
1814 transitional standard offer option or an alternative standard service
1815 option, the authority shall require a payment by a licensee that fails to
1816 comply with the renewable portfolio standards in accordance with
1817 subdivision (4) of subsection (g) of this section in the amount of five
1818 and one-half cents per kilowatt hour. The authority shall allocate such
1819 payment to the Clean Energy Fund for the development of Class I
1820 renewable energy sources.

1821 Sec. 43. Subsection (a) of section 16-245d of the general statutes is
1822 repealed and the following is substituted in lieu thereof (*Effective from*
1823 *passage*):

1824 (a) The Department of Energy and Environmental Protection shall,
1825 by regulations adopted pursuant to chapter 54, develop a standard
1826 billing format that enables customers to compare pricing policies and
1827 charges among electric suppliers. The department shall adopt
1828 regulations, in accordance with the provisions of chapter 54, to provide
1829 that an electric supplier, until July 1, 2012, may provide direct billing
1830 and collection services for electric generation services and related
1831 federally mandated congestion charges that such supplier provides to
1832 its customers with a maximum demand of not less than one hundred
1833 kilowatts that choose to receive a bill directly from such supplier and,
1834 on and after July 1, 2012, shall provide direct billing and collection
1835 services for electric generation services and related federally mandated
1836 congestion charges that such suppliers provide to their customers or

1837 may choose to obtain such billing and collection service through an
1838 electric distribution company and pay its pro rata share in accordance
1839 with the provisions of subsection [(h)] (f) of section 16-244c, as
1840 amended by this act. Any customer of an electric supplier, which is
1841 choosing to provide direct billing, who paid for the cost of billing and
1842 other services to an electric distribution company shall receive a credit
1843 on their monthly bill.

1844 (1) An electric supplier that chooses to provide billing and collection
1845 services shall, in accordance with the billing format developed by the
1846 department, include the following information in each customer's bill:
1847 (A) The total amount owed by the customer, which shall be itemized to
1848 show (i) the electric generation services component and any additional
1849 charges imposed by the electric supplier, and (ii) federally mandated
1850 congestion charges applicable to the generation services; (B) any
1851 unpaid amounts from previous bills, which shall be listed separately
1852 from current charges; (C) the rate and usage for the current month and
1853 each of the previous twelve months in bar graph form or other visual
1854 format; (D) the payment due date; (E) the interest rate applicable to
1855 any unpaid amount; (F) the toll-free telephone number of the Public
1856 Utilities Regulatory Authority for questions or complaints; and (G) the
1857 toll-free telephone number and address of the electric supplier. On or
1858 before February 1, 2012, the authority shall conduct a review of the
1859 costs and benefits of suppliers billing for all components of electric
1860 service, and report, in accordance with the provisions of section 11-4a,
1861 to the joint standing committee of the General Assembly having
1862 cognizance of matters relating to energy regarding the results of such
1863 review.

1864 (2) An electric distribution company shall, in accordance with the
1865 billing format developed by the authority, include the following
1866 information in each customer's bill: (A) The total amount owed by the
1867 customer, which shall be itemized to show, (i) the electric generation
1868 services component if the customer obtains standard service or last
1869 resort service from the electric distribution company, (ii) the
1870 distribution charge, including all applicable taxes and the systems

1871 benefits charge, as provided in section 16-245l, (iii) the transmission
1872 rate as adjusted pursuant to subsection (d) of section 16-19b, (iv) the
1873 competitive transition assessment, as provided in section 16-245g, (v)
1874 federally mandated congestion charges, and (vi) the conservation and
1875 renewable energy charge, consisting of the conservation and load
1876 management program charge, as provided in section 16-245m, as
1877 amended by this act, and the renewable energy investment charge, as
1878 provided in section 16-245n; (B) any unpaid amounts from previous
1879 bills which shall be listed separately from current charges; (C) except
1880 for customers subject to a demand charge, the rate and usage for the
1881 current month and each of the previous twelve months in the form of a
1882 bar graph or other visual form; (D) the payment due date; (E) the
1883 interest rate applicable to any unpaid amount; (F) the toll-free
1884 telephone number of the electric distribution company to report power
1885 losses; (G) the toll-free telephone number of the Public Utilities
1886 Regulatory Authority for questions or complaints; and (H) if a
1887 customer has a demand of five hundred kilowatts or less during the
1888 preceding twelve months, a statement about the availability of
1889 information concerning electric suppliers pursuant to section 16-245p,
1890 as amended by this act.

1891 Sec. 44. Subsection (a) of section 16-245l of the general statutes is
1892 repealed and the following is substituted in lieu thereof (*Effective from*
1893 *passage*):

1894 (a) The Public Utilities Regulatory Authority shall establish and
1895 each electric distribution company shall collect a systems benefits
1896 charge to be imposed against all end use customers of each electric
1897 distribution company beginning January 1, 2000. The authority shall
1898 hold a hearing that shall be conducted as a contested case in
1899 accordance with chapter 54 to establish the amount of the systems
1900 benefits charge. The authority may revise the systems benefits charge
1901 or any element of said charge as the need arises. The systems benefits
1902 charge shall be used to fund (1) the expenses of the public education
1903 outreach program developed under [subsections (a), (f) and (g) of]
1904 section 16-244d, as amended by this act, other than expenses for

1905 authority staff, (2) [the reasonable and proper expenses of the
1906 education outreach consultant pursuant to subsection (d) of section 16-
1907 244d, (3)] the cost of hardship protection measures under sections 16-
1908 262c and 16-262d and other hardship protections, including, but not
1909 limited to, electric service bill payment programs, funding and
1910 technical support for energy assistance, fuel bank and weatherization
1911 programs and weatherization services, [(4)] (3) the payment program
1912 to offset tax losses described in section 12-94d, [(5)] (4) any sums paid
1913 to a resource recovery authority pursuant to subsection (b) of section
1914 16-243e, as amended by this act, [(6)] (5) low income conservation
1915 programs approved by the Public Utilities Regulatory Authority, [(7)]
1916 (6) displaced worker protection costs, [(8)] (7) unfunded storage and
1917 disposal costs for spent nuclear fuel generated before January 1, 2000,
1918 approved by the appropriate regulatory agencies, [(9)] (8)
1919 postretirement safe shutdown and site protection costs that are
1920 incurred in preparation for decommissioning, [(10)] (9)
1921 decommissioning fund contributions, [(11) the costs of temporary
1922 electric generation facilities incurred pursuant to section 16-19ss, (12)]
1923 (10) operating expenses for the Connecticut Energy Advisory Board,
1924 [(13)] (11) costs associated with the Connecticut electric efficiency
1925 partner program established pursuant to section 16-243v, [(14)] (12)
1926 reinvestments and investments in energy efficiency programs and
1927 technologies pursuant to section 16a-38l, costs associated with the
1928 electricity conservation incentive program established pursuant to
1929 section 119 of public act 07-242, and [(15)] (13) legal, appraisal and
1930 purchase costs of a conservation or land use restriction and other
1931 related costs as the authority in its discretion deems appropriate,
1932 incurred by a municipality on or before January 1, 2000, to ensure the
1933 environmental, recreational and scenic preservation of any reservoir
1934 located within this state created by a pump storage hydroelectric
1935 generating facility. As used in this subsection, "displaced worker
1936 protection costs" means the reasonable costs incurred, prior to January
1937 1, 2008, (A) by an electric supplier, exempt wholesale generator,
1938 electric company, an operator of a nuclear power generating facility in
1939 this state or a generation entity or affiliate arising from the dislocation

1940 of any employee other than an officer, provided such dislocation is a
1941 result of (i) restructuring of the electric generation market and such
1942 dislocation occurs on or after July 1, 1998, or (ii) the closing of a Title IV
1943 source or an exempt wholesale generator, as defined in 15 USC 79z-5a,
1944 on or after January 1, 2004, as a result of such source's failure to meet
1945 requirements imposed as a result of sections 22a-197 and 22a-198 and
1946 this section or those Regulations of Connecticut State Agencies
1947 adopted by the Department of Energy and Environmental Protection,
1948 as amended from time to time, in accordance with Executive Order
1949 Number 19, issued on May 17, 2000, and provided further such costs
1950 result from either the execution of agreements reached through
1951 collective bargaining for union employees or from the company's or
1952 entity's or affiliate's programs and policies for nonunion employees,
1953 and (B) by an electric distribution company or an exempt wholesale
1954 generator arising from the retraining of a former employee of an
1955 unaffiliated exempt wholesale generator, which employee was
1956 involuntarily dislocated on or after January 1, 2004, from such
1957 wholesale generator, except for cause. "Displaced worker protection
1958 costs" includes costs incurred or projected for severance, retraining,
1959 early retirement, outplacement, coverage for surviving spouse
1960 insurance benefits and related expenses. "Displaced worker protection
1961 costs" does not include those costs included in determining a tax credit
1962 pursuant to section 12-217bb.

1963 Sec. 45. Subsection (b) of section 16-245p of the general statutes is
1964 repealed and the following is substituted in lieu thereof (*Effective from*
1965 *passage*):

1966 (b) The Public Utilities Regulatory Authority shall maintain and
1967 make available to customers upon request, a list of electric aggregators
1968 and the following information about each electric supplier and each
1969 electric distribution company providing standard service or back-up
1970 electric generation service, pursuant to section 16-244c: (1) Rates and
1971 charges; (2) applicable terms and conditions of a contract for electric
1972 generation services; (3) the [percentage of the total electric output
1973 derived from each of the categories of energy sources provided in

1974 subsection (e) of section 16-244d, the] total emission rates of nitrogen
1975 oxides, sulfur oxides, carbon dioxide, carbon monoxide, particulates,
1976 heavy metals and other wastes the disposal of which is regulated
1977 under state or federal law at the facilities operated by or under long-
1978 term contract to the electric supplier or providing electric generation
1979 services to an electric distribution company providing standard service
1980 or back-up electric generation service, pursuant to section 16-244c, and
1981 the analysis of the environmental characteristics of each such category
1982 of energy source prepared pursuant to subsection (e) of said section 16-
1983 244d and to the extent such information is unknown, the estimated
1984 percentage of the total electric output for which such information is
1985 unknown, along with the word "unknown" for that percentage; (4) a
1986 record of customer complaints and the disposition of each complaint;
1987 and (5) any other information the authority determines will assist
1988 customers in making informed decisions when choosing an electric
1989 supplier. The authority shall make available to customers the
1990 information filed pursuant to subsection (a) of this section not later
1991 than thirty days after its receipt. The authority shall put such
1992 information in a standard format so that a customer can readily
1993 understand and compare the services provided by each electric
1994 supplier.

1995 Sec. 46. Subsection (c) of section 16-245x of the general statutes is
1996 repealed and the following is substituted in lieu thereof (*Effective from*
1997 *passage*):

1998 (c) Each electric distribution company shall submit, on a form
1999 prescribed by the authority, quarterly reports containing [(1)] the
2000 average price for electric service for each customer class, [and (2)
2001 separately within the residential class, the price for electric service
2002 under the standard offer, as provided in subsection (a) of section 16-
2003 244c and the price for default service, as provided in subsection (b) of
2004 said section 16-244c.]

2005 Sec. 47. Subsection (b) of section 16-245ff of the general statutes is
2006 repealed and the following is substituted in lieu thereof (*Effective from*

2007 *passage*):

2008 (b) The Clean Energy Finance and Investment Authority shall offer
2009 direct financial incentives, in the form of performance-based incentives
2010 or expected performance-based buydowns, for the purchase or lease of
2011 qualifying residential solar photovoltaic systems. For the purposes of
2012 this section, "performance-based incentives" means incentives paid out
2013 on a per kilowatt-hour basis, and "expected performance-based
2014 buydowns" means incentives paid out as a one-time upfront incentive
2015 based on expected system performance. The authority shall consider
2016 willingness to pay studies and verified solar photovoltaic system
2017 characteristics, such as operational efficiency, size, location, shading
2018 and orientation, when determining the type and amount of incentive.
2019 Notwithstanding the provisions of subdivision (1) of subsection [(j)]
2020 (h) of section 16-244c, as amended by this act, the amount of renewable
2021 energy produced from Class I renewable energy sources receiving
2022 tariff payments or included in utility rates under this section shall be
2023 applied to reduce the electric distribution company's Class I renewable
2024 energy source portfolio standard. Customers who receive expected
2025 performance-based buydowns under this section shall not be eligible
2026 for a credit pursuant to section 16-243b.

2027 Sec. 48. Subsection (b) of section 16a-47a of the general statutes is
2028 repealed and the following is substituted in lieu thereof (*Effective from*
2029 *passage*):

2030 (b) The goals of the campaign established pursuant to subsection (a)
2031 of this section shall include, but not be limited to, educating electric
2032 consumers regarding (1) the benefits of pursuing strategies that
2033 increase energy efficiency, including information on the Connecticut
2034 electric efficiency partner program established pursuant to section 16a-
2035 46e and combined heat and power technologies, (2) the real-time
2036 energy reports developed pursuant to section 16a-47b and the real-
2037 time energy electronic mail and cellular phone alert system developed
2038 pursuant to section 16a-47d, and (3) the option of choosing a
2039 participating electric supplier, as defined in subsection [(k)] (i) of

2040 section 16-244c, as amended by this act.

2041 Sec. 49. Section 22a-2d of the general statutes is repealed and the
2042 following is substituted in lieu thereof (*Effective from passage*):

2043 (a) There is established a Department of Energy and Environmental
2044 Protection, which shall have jurisdiction relating to the preservation
2045 and protection of the air, water and other natural resources of the state,
2046 energy and policy planning and regulation and advancement of
2047 telecommunications and related technology. For the purposes of
2048 energy policy and regulation, the department shall have the following
2049 goals: (1) Reducing rates and decreasing costs for Connecticut's
2050 ratepayers, (2) ensuring the reliability and safety of our state's energy
2051 supply, (3) increasing the use of clean energy and technologies that
2052 support clean energy, and (4) developing the state's energy-related
2053 economy. For the purpose of environmental protection and regulation,
2054 the department shall have the following goals: (A) Conserving,
2055 improving and protecting the natural resources and environment of
2056 the state, and (B) preserving the natural environment while fostering
2057 sustainable development. The Public Utilities Regulatory Authority
2058 within the department shall be responsible for all matters of rate
2059 regulation for public utilities and regulated entities under title 16 and
2060 shall promote policies that will lead to just and reasonable utility rates.
2061 The department head shall be the Commissioner of Energy and
2062 Environmental Protection who shall be appointed by the Governor in
2063 accordance with the provisions of sections 4-5 to 4-8, inclusive, with
2064 the powers and duties therein prescribed. The Department of Energy
2065 and Environmental Protection shall establish bureaus, one of which
2066 shall be designated an energy bureau.

2067 (b) The Department of Energy and Environmental Protection shall
2068 constitute a successor department to the Department of Environmental
2069 Protection and the Department of Public Utility Control in accordance
2070 with the provisions of sections 4-38d, 4-38e and 4-39.

2071 (c) Wherever the words "Commissioner of Environmental
2072 Protection" are used or referred to in the following sections of the

2073 general statutes, the words "Commissioner of Energy and
2074 Environmental Protection" shall be substituted in lieu thereof: 3-7, 3-
2075 100, 4-5, 4-168, 4a-57, 4a-67d, 4b-15a, 4b-21, 5-238a, 7-121d, 7-131, 7-
2076 131a, 7-131d, 7-131e, 7-131f, 7-131g, 7-131i, 7-131l, 7-131t, 7-131u, 7-
2077 136h, 7-137c, 7-147, 7-151a, 7-151b, 7-245, 7-246, 7-246f, 7-247, 7-249a, 7-
2078 323o, 7-374, 7-487, 8-336f, 10-231b, 10-231c, 10-231d, 10-231g, 10-382,
2079 10-388, 10-389, 10-391, 12-81, 12-81r, 12-107d, 12-217mm, 12-263m, 12-
2080 407, 12-412, 13a-80i, 13a-94, 13a-142a, 13a-142b, 13a-142e, 13a-175j, 13b-
2081 11a, 13b-38x, 13b-51, 13b-56, 13b-57, 13b-329, 14-21e, 14-21i, 14-21s, 14-
2082 65a, 14-67l, 14-80a, 14-100b, 14-164c, 14-164h, 14-164i, 14-164k, 14-164o,
2083 15-11a, 15-121, 15-125, 15-127, 15-130, 15-133a, 15-133c, 15-140a, 15-
2084 140c, 15-140d, 15-140e, 15-140f, 15-140j, 15-140o, 15-140u, 15-140v, 15-
2085 141, 15-142, 15-143, 15-144, 15-145, 15-149a, 15-149b, 15-150a, 15-151,
2086 15-154, 15-154a, 15-155, 15-155d, 15-156, 15-174, 16-2, 16-11a, 16-19e,
2087 [16-19g,] 16-50c, 16-50d, 16-50j, as amended by this act, 16-261a, 16a-3,
2088 16a-21a, 16a-27, 16a-35h, 16a-38k, 16a-103, 16a-106, 19a-35a, 19a-47,
2089 19a-102a, 19a-330, 19a-341, 21-84b, 22-6c, 22-11h, 22-26cc, 22-81a, 22-
2090 91c, 22-350a, 22-358, 22a-1g, 22a-2a, 22a-5b, 22a-5c, 22a-6, 22a-6a, 22a-
2091 6b, as amended by this act, 22a-6e, 22a-6f, 22a-6g, 22a-6h, 22a-6i, 22a-6j,
2092 22a-6k, 22a-6l, 22a-6m, 22a-6n, 22a-6p, 22a-6s, 22a-6u, 22a-6v, 22a-6w,
2093 22a-6y, 22a-6z, 22a-6aa, 22a-6bb, 22a-6cc, 22a-7a, 22a-7b, 22a-8a, 22a-10,
2094 22a-13, 22a-16a, 22a-21, 22a-21b, 22a-21c, 22a-21d, 22a-21h, 22a-21j, 22a-
2095 22, 22a-25, 22a-26, 22a-27, 22a-27f, 22a-27l, 22a-27p, 22a-27r, 22a-27s,
2096 22a-27t, 22a-27u, 22a-27v, 22a-27w, 22a-29, 22a-35a, 22a-38, 22a-42a,
2097 22a-44, 22a-45a, 22a-45b, 22a-45c, 22a-45d, 22a-47, 22a-54, 22a-54a, 22a-
2098 56a, 22a-66a, 22a-66c, 22a-66j, 22a-66k, 22a-66l, 22a-66y, 22a-66z, 22a-68,
2099 22a-93, 22a-106a, 22a-109, 22a-113n, 22a-113t, 22a-114, 22a-115, 22a-118,
2100 22a-122, 22a-133a, 22a-133b, 22a-133k, 22a-133l, 22a-133m, 22a-133n,
2101 22a-133u, 22a-133v, 22a-133w, 22a-133y, 22a-133z, 22a-133aa, 22a-
2102 133bb, 22a-133ee, 22a-134, 22a-134e, 22a-134f, 22a-134g, 22a-134h, 22a-
2103 134i, 22a-134k, 22a-134l, 22a-134m, 22a-134n, 22a-134p, 22a-134s, 22a-
2104 135, 22a-136, 22a-137, 22a-148, 22a-149, 22a-150, 22a-151, 22a-153, 22a-
2105 154, 22a-155, 22a-156, 22a-158, 22a-160, 22a-162, 22a-170, 22a-171, 22a-
2106 173, 22a-174c, 22a-174d, 22a-174e, 22a-174f, 22a-174g, 22a-174h, 22a-
2107 174i, 22a-174j, 22a-174k, 22a-174l, 22a-174m, 22a-180, 22a-182a, 22a-183,

2108 22a-186, 22a-188, 22a-188a, 22a-191, 22a-191a, 22a-192, 22a-193, 22a-
2109 194a, 22a-194c, 22a-194f, 22a-198, 22a-199, 22a-200, 22a-200a, 22a-200b,
2110 22a-200c, 22a-201a, 22a-201b, 22a-207, 22a-208a, 22a-208b, 22a-208d,
2111 22a-208e, 22a-208f, 22a-208g, 22a-208h, 22a-208j, 22a-208o, 22a-208p,
2112 22a-208q, 22a-208v, 22a-208w, 22a-208x, 22a-208y, 22a-208aa, 22a-
2113 208bb, 22a-209a, 22a-209b, 22a-209d, 22a-209f, 22a-209g, 22a-209h, 22a-
2114 209i, 22a-213a, 22a-214, 22a-219b, 22a-219c, 22a-219e, 22a-220, 22a-220a,
2115 22a-220d, 22a-222, 22a-223, 22a-225, 22a-227, 22a-228, 22a-230, 22a-231,
2116 22a-233a, 22a-235, 22a-235a, 22a-237, 22a-238, 22a-239, 22a-240, 22a-
2117 240a, 22a-241, 22a-241a, 22a-241b, 22a-241g, 22a-241h, 22a-241j, 22a-
2118 245, 22a-245a, 22a-245b, 22a-245d, 22a-248, 22a-250, 22a-250a, 22a-250b,
2119 22a-250c, 22a-252, 22a-255b, 22a-255c, 22a-255d, 22a-255f, 22a-255h,
2120 22a-256b, 22a-256c, 22a-256i, 22a-256m, 22a-256o, 22a-256q, 22a-256r,
2121 22a-256v, 22a-256y, 22a-256aa, 22a-260, 22a-264, 22a-283, 22a-285a, 22a-
2122 285d, 22a-285e, 22a-285g, 22a-285h, 22a-285j, 22a-295, 22a-300, 22a-308,
2123 22a-309, 22a-314, 22a-315, 22a-316, 22a-317, 22a-318, 22a-319, 22a-320,
2124 22a-321, 22a-322, 22a-324, 22a-326, 22a-328, 22a-336, 22a-337, 22a-339a,
2125 22a-339b, 22a-339c, 22a-339d, 22a-339f, 22a-339g, 22a-339h, 22a-342a,
2126 22a-349, 22a-349a, 22a-351, 22a-352, 22a-354b, 22a-354c, 22a-354d, 22a-
2127 354e, 22a-354f, 22a-354h, 22a-354i, 22a-354j, 22a-354k, 22a-354l, 22a-
2128 354p, 22a-354q, 22a-354t, 22a-354u, 22a-354v, 22a-354w, 22a-354x, 22a-
2129 354z, 22a-354aa, 22a-354bb, 22a-354cc, 22a-355, 22a-357, 22a-359, 22a-
2130 361, 22a-361a, 22a-363b, 22a-364, 22a-367, 22a-368a, 22a-378a, 22a-381,
2131 22a-401, 22a-402, 22a-406, 22a-409, 22a-416, 22a-423, 22a-426, 22a-430b,
2132 22a-430c, 22a-434a, 22a-439, 22a-439a, 22a-444, 22a-445, 22a-449, 22a-
2133 449e, 22a-449f, 22a-449g, 22a-449h, 22a-449i, 22a-449j, 22a-449k, 22a-
2134 449l, 22a-449n, 22a-449p, 22a-449q, 22a-450a, 22a-452a, 22a-452e, 22a-
2135 453a, 22a-454c, 22a-457a, 22a-457b, 22a-458, 22a-459, 22a-461, 22a-462,
2136 22a-463, 22a-471, 22a-472, 22a-474, 22a-475, 22a-482, 22a-485, 22a-497,
2137 22a-500, 22a-501, 22a-517, 22a-521, 22a-522, 22a-523, 22a-524, 22a-525,
2138 22a-526, 22a-527, 22a-601, 22a-602, 22a-605, 22a-613, 22a-616, 22a-626,
2139 22a-627, 22a-629, 22a-630, 22a-634, 22a-637, 22a-638, 22a-902, 23-4, 23-5,
2140 23-5b, 23-6, 23-7, 23-8, 23-8b, 23-9a, 23-9b, 23-10, 23-10b, 23-10c, 23-10e,
2141 23-10i, 23-11, 23-12, 23-13, 23-14, 23-15a, 23-15b, 23-16, 23-16a, 23-17,
2142 23-18, 23-20, 23-21, 23-22, 23-23, 23-24, 23-24a, 23-25, 23-26b, 23-26c, 23-

2143 26d, 23-26f, 23-26g, 23-30, 23-31, 23-32, 23-32a, 23-33, 23-37a, 23-37b, 23-
 2144 41, 23-61a, 23-61b, 23-61f, 23-65, 23-65f, 23-65g, 23-65h, 23-65i, 23-65j,
 2145 23-65l, 23-65m, 23-65n, 23-65o, 23-65p, 23-65q, 23-73, 23-75, 23-77, 23-
 2146 101, 23-102, 24-2, 25-33e, 25-33k, 25-33m, 25-33o, 25-34, 25-68b, 25-68i,
 2147 25-68k, 25-68l, 25-68m, 25-68n, 25-71, 25-72, 25-74, 25-76, 25-80, 25-83a,
 2148 25-94, 25-95, 25-97, 25-102a, 25-102d, 25-102e, 25-102f, 25-102t, 25-102ii,
 2149 25-102qq, 25-102xx, 25-109e, 25-109q, 25-131, 25-139, 25-155, 25-157, 25-
 2150 178, 25-199, 25-199a, 25-201, 25-231, 26-1, 26-3, 26-3a, 26-3b, 26-3c, 26-5,
 2151 26-6, 26-6a, 26-7, 26-15, 26-17a, 26-18, 26-25a, 26-25b, 26-27, 26-27b, 26-
 2152 27c, 26-27d, 26-28b, 26-29c, 26-30, 26-31, 26-31a, 26-40a, 26-40c, 26-46,
 2153 26-55, 26-65, 26-65a, 26-67b, 26-67c, 26-67e, 26-74, 26-80a, 26-86a, 26-86c,
 2154 26-86e, 26-91, 26-103, 26-107f, 26-107h, 26-107i, 26-115, 26-119, 26-141a,
 2155 26-141b, 26-141c, 26-142a, 26-142b, 26-157c, 26-157d, 26-157e, 26-157h,
 2156 26-157i, 26-159a, 26-186a, 26-192j, 26-297, 26-313, 26-314, 26-315, 26-316,
 2157 28-1b, 28-31, 29-32b, 32-1e, 32-9dd, 32-9kk, 32-9ll, 32-11a, 32-23x, 32-
 2158 242, 32-242a, 32-664, 38a-684, 47-46a, 47-59b, 47-65, 47-65a, 47-66, 47-
 2159 66d, 47-66g, 51-164n, as amended by this act, 52-192, 52-473a, 53-190,
 2160 53a-44a, 53a-54b and 53a-217e.

2161 (d) Wherever the words "Department of Environmental Protection"
 2162 are used or referred to in the following sections of the general statutes,
 2163 the words "Department of Energy and Environmental Protection" shall
 2164 be substituted in lieu thereof: 1-84, 1-206, 1-217, 2-20a, 4-38c, 4-66c, 4-
 2165 66aa, 4-89, 4a-53, 5-142, 7-131e, 7-151a, 7-151b, 7-252, 8-387, 10-282, 10-
 2166 291, 10-413, 10a-119e, 12-63e, 12-263m, 13a-142b, 13a-142c, 13a-142d,
 2167 13b-38a, 14-386, 15-129, 15-130a, 15-140e, 15-140f, 15-140j, 15-154, 15-
 2168 155, 16-19h, [16-19o,] 16-50j, as amended by this act, 16-50k, as
 2169 amended by this act, 16-50p, 16-243q, 16-244d, as amended by this act,
 2170 16-244j, 16-245l, as amended by this act, 16-245y, 16-262m, 16-262n,
 2171 19a-197b, 19a-320, 20-420, 21-84b, 22-11f, 22-11g, 22-11h, 22-26cc, 22-
 2172 91e, 22-455, 22a-1d, 22a-2a, 22a-2c, 22a-5b, 22a-6, 22a-6f, 22a-6g, 22a-6l,
 2173 22a-6p, 22a-6r, 22a-6u, 22a-6x, 22a-6cc, 22a-10, 22a-11, 22a-20a, 22a-21,
 2174 22a-21a, 22a-21b, 22a-21c, 22a-21i, 22a-21j, 22a-21k, 22a-22, 22a-25, 22a-
 2175 26, 22a-26a, 22a-27j, 22a-27l, 22a-27s, 22a-29, 22a-33, 22a-40, 22a-47a,
 2176 22a-58, 22a-61, 22a-66z, 22a-68, 22a-115, 22a-118, 22a-119, 22a-122, 22a-
 2177 123, 22a-126, 22a-132, 22a-133v, 22a-133w, 22a-134i, 22a-135, 22a-170,

2178 22a-174, 22a-174l, 22a-186, 22a-188a, 22a-196, 22a-198, 22a-200b, 22a-
 2179 200c, 22a-200d, 22a-207, 22a-208a, 22a-209f, 22a-223, 22a-233a, 22a-239a,
 2180 22a-244, 22a-245a, 22a-247, 22a-248, 22a-250, 22a-255h, 22a-256m, 22a-
 2181 256y, 22a-259, 22a-260, 22a-264, 22a-275, 22a-314, 22a-315, 22a-336, 22a-
 2182 352, 22a-355, 22a-361, 22a-363b, 22a-416, 22a-426, 22a-446, 22a-449f,
 2183 22a-449l, 22a-449n, 22a-454a, 22a-475, 22a-477, 22a-509, 22a-521, 22a-
 2184 601, 22a-629, 22a-630, 22a-635, 23-5c, 23-8, 23-8b, 23-10b, 23-10d, 23-15,
 2185 23-15b, 23-19, 23-20, 23-24a, 23-32a, 23-61a, 23-65f, 23-65h, 23-65i, 23-
 2186 65k, 23-67, 23-68, 23-72, 23-73, 23-101, 23-102, 23-103, 25-32d, 25-33p,
 2187 25-37d, 25-37e, 25-37i, 25-43c, 25-102e, 25-102f, 25-128, 25-131, 25-157,
 2188 25-157a, 25-157b, 25-157n, 25-175, 25-201, 25-206, 25-231, 26-6a, 26-15,
 2189 26-15a, 26-15b, 26-17a, 26-27b, 26-31, 26-40a, 26-55, 26-55a, 26-59, 26-
 2190 66a, 26-66b, 26-72, 26-86f, 26-105, 26-142a, 26-157d, 26-192k, 26-300, 26-
 2191 304, 26-314, 28-31, 29-28, 29-36f, 30-55a, 32-1e, 32-9t, 32-9dd, 32-9kk, 32-
 2192 9ll, 32-11a, 32-23d, 32-23x, 32-242, 32-242a, 32-726, 46b-220, 47-46a, 47-
 2193 64, 52-557b, 53-204, 53-205, 53-206d, 53a-44a, 53a-217e, 54-56g and 54-
 2194 143.

2195 (e) Wherever the words "Department of Public Utility Control" are
 2196 used or referred to in the following sections of the general statutes, the
 2197 words "Public Utilities Regulatory Authority" shall be substituted in
 2198 lieu thereof: 1-84, 1-84b, 2-20a, 2-71p, 4-38c, 4a-57, 4a-74, 4d-2, 4d-80, 7-
 2199 223, 7-233t, 7-233ii, 8-387, 12-81q, 12-94d, 12-264, 12-265, 12-408b, 12-
 2200 412, 12-491, 13a-82, 13a-126a, 13b-10a, 13b-43, 13b-44, 13b-387a, 15-96,
 2201 16-1, as amended by this act, 16-2, 16-2a, 16-6, 16-6a, 16-6b, 16-7, 16-8,
 2202 as amended by this act, 16-8b, 16-8c, 16-8d, 16-9, 16-9a, 16-10, 16-10a,
 2203 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-17, 16-18, 16-19, 16-19a, 16-
 2204 19b, 16-19d, 16-19f, 16-19k, [16-19n, 16-19o, 16-19u, 16-19w,] 16-19x, 16-
 2205 19z, [16-19aa,] 16-19bb, [16-19cc,] 16-19dd, 16-19ee, 16-19ff, 16-19gg, 16-
 2206 19jj, 16-19kk, as amended by this act, 16-19mm, 16-19nn, 16-19oo, 16-
 2207 19pp, [16-19qq,] 16-19tt, 16-19uu, 16-19vv, 16-20, 16-21, 16-23, 16-24, 16-
 2208 25, 16-25a, 16-26, 16-27, 16-28, 16-29, 16-32, 16-32a, 16-32b, 16-32c, 16-
 2209 32e, 16-32f, 16-32g, 16-33, 16-35, 16-41, 16-42, 16-43, 16-43a, 16-43d, 16-
 2210 44, 16-44a, 16-45, 16-46, 16-47, 16-47a, 16-48, 16-49e, 16-50c, 16-50d, 16-
 2211 50f, 16-50k, as amended by this act, 16-50aa, 16-216, 16-227, 16-231, 16-
 2212 233, 16-234, 16-235, 16-238, 16-243, 16-243a, 16-243b, 16-243c, 16-243f,

2213 16-243i, 16-243j, 16-243k, 16-243m, as amended by this act, 16-243n, 16-
 2214 243p, as amended by this act, 16-243q, 16-243r, as amended by this act,
 2215 16-243s, 16-243t, 16-243u, 16-243v, 16-243w, [16-244a,] 16-244b, 16-244c,
 2216 as amended by this act, 16-244d, as amended by this act, 16-244e, 16-
 2217 244f, 16-244g, 16-244h, 16-244i, [16-244k,] 16-244l, 16-245, 16-245a, 16-
 2218 245b, 16-245c, 16-245e, as amended by this act, 16-245g, 16-245l, as
 2219 amended by this act, 16-245p, as amended by this act, 16-245q, 16-245s,
 2220 16-245t, 16-245u, 16-245v, 16-245w, 16-245x, as amended by this act, 16-
 2221 245aa, 16-246, 16-246e, 16-246g, 16-247c, 16-247j, 16-247l, 16-247m, 16-
 2222 247o, 16-247p, 16-247t, 16-249, 16-250, 16-250a, 16-250b, 16-256b, 16-
 2223 256c, 16-256h, 16-256k, 16-258a, 16-258b, 16-258c, 16-259, 16-261, 16-
 2224 262a, 16-262c, 16-262d, 16-262i, 16-262j, 16-262k, 16-262l, 16-262m, 16-
 2225 262n, 16-262o, 16-262q, 16-262r, 16-262s, 16-262v, 16-262w, 16-262x, 16-
 2226 265, 16-269, 16-271, 16-272, 16-273, 16-274, 16-275, 16-276, 16-278, 16-
 2227 280a, 16-280b, 16-280d, 16-280e, 16-280f, 16-280h, 16-281a, 16-331, 16-
 2228 331c, 16-331e, 16-331f, 16-331g, 16-331h, 16-331i, 16-331j, 16-331k, as
 2229 amended by this act, 16-331n, 16-331o, 16-331p, 16-331q, 16-331r, 16-
 2230 331t, 16-331u, 16-331v, 16-331y, 16-331z, 16-331aa, 16-331cc, 16-331dd,
 2231 16-331ff, 16-331gg, 16-332, 16-333, 16-333a, 16-333b, 16-333e, 16-333f,
 2232 16-333g, 16-333h, 16-333i, 16-333l, 16-333n, 16-333o, 16-333p, 16-347, 16-
 2233 348, 16-356, 16-357, 16-358, 16-359, 16a-3b, 16a-3c, 16a-7b, 16a-7c, 16a-
 2234 13b, 16a-37c, subsection (b) of section 16a-38n, 16a-38o, 16a-40b, 16a-
 2235 40k, 16a-41, 16a-46, 16a-46b, 16a-46c, 16a-47a, 16a-47b, 16a-47c, 16a-
 2236 47d, 16a-47e, 16a-48, 16a-49, 16a-103, 20-298, 20-309, 20-340, 20-340a,
 2237 20-341k, 20-341z, 20-357, 20-541, 22a-174l, 22a-256dd, 22a-266, 22a-358,
 2238 22a-475, 22a-478, 22a-479, 23-8b, 23-65, 25-33a, 25-33h, 25-33k, 25-33l,
 2239 25-33p, 25-37d, 25-37e, 26-141b, 28-1b, 28-24, 28-26, 28-27, 28-31, 29-282,
 2240 29-415, 32-80a, 32-222, 33-219, 33-221, 33-241, 33-951, 42-287, 43-44, 49-
 2241 4c and 52-259a.

2242 (f) Wherever the words "Secretary of the Office of Policy and
 2243 Management" are used or referred to in the following sections of title
 2244 16a, the words "Commissioner of Energy and Environmental
 2245 Protection" shall be substituted in lieu thereof: 16a-4d, 16a-14, 16a-22,
 2246 16a-22c, 16a-22h, 16a-22i, 16a-22j, 16a-23t, 16a-37f, 16a-38, 16a-38a, 16a-
 2247 38b, 16a-38i, 16a-38j, 16a-39b, 16a-40b, [16a-44b,] 16a-46a, 16a-46b, 16a-

2248 46c, 16a-46e, as amended by this act, 16a-46f and 16a-102.

2249 (g) Wherever the words "Office of Policy and Management" are
2250 used or referred to in the following sections of title 16a, the words
2251 "Department of Energy and Environmental Protection" shall be
2252 substituted in lieu thereof: 16a-2, 16a-3, 16a-4d, 16a-6, 16a-7b, 16a-14,
2253 16a-14e, 16a-20, 16a-22, 16a-22c, 16a-22h, 16a-22j, 16a-37c, 16a-37f, [16a-
2254 37v,] 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-38l, 16a-
2255 39b, 16a-40b, [16a-44b,] 16a-46a, 16a-46c, 16a-46e, as amended by this
2256 act, 16a-46f, 16a-46g, 16a-102 and 16a-106.

2257 (h) Wherever the word "secretary" is used or referred to in the
2258 following sections of title 16a, the word "commissioner" shall be
2259 substituted in lieu thereof: 16a-2, 16a-3, 16a-4d, 16a-6, 16a-9, 16a-13,
2260 16a-13a, 16a-13b, 16a-14, 16a-14a, 16a-14b, 16a-22, 16a-22c, 16a-22d,
2261 16a-22e, 16a-22f, 16a-22h, 16a-22i, 16a-22j, 16a-23t, 16a-37f, 16a-38, 16a-
2262 38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-39b, 16a-40b, [16a-44b,] 16a-
2263 45a, 16a-46a, 16a-46c, 16a-46e, as amended by this act, 16a-46f, 16a-102
2264 and 16a-106.

2265 (i) Wherever the word "department" is used or referred to in the
2266 following sections of the general statutes, the word "authority" shall be
2267 substituted in lieu thereof: 16-9, 16-9a, 16-10, 16-11, 16-13, 16-14, 16-16,
2268 16-17, 16-19, 16-19b, 16-19d, 16-244d, as amended by this act, 16-245a,
2269 16-245f, as amended by this act, 16-245g, 16-246g, 16-245h, 16-245i, 16-
2270 245j, 16-245k, 16-245n, 16-245p, as amended by this act, 16-247b, 16-
2271 247e, 16-247f, 16-247g, 16-247h, 16-247l, 16-247n, 16-247t, 16-262v, 16-
2272 280a, 16-331 and 16-333d.

2273 (j) Wherever the words "Renewable Energy Investment Fund" are
2274 used or referred to in the following sections of the general statutes, the
2275 words "Clean Energy Fund" shall be substituted in lieu thereof: 16-1, as
2276 amended by this act, 16-243q, 16-245, 16-245e, as amended by this act,
2277 16-245f, as amended by this act, 16-245i, 16-245j, 16-245w, 16-245aa,
2278 16a-38p, and 32-9ww.

2279 (k) Wherever the term "Department of Environmental Protection" or

2280 "Department of Public Utility Control" is used or referred to in any
2281 public or special act of 2011, or in any section of the general statutes
2282 which is amended in 2011, "Department of Energy and Environmental
2283 Protection" shall be substituted in lieu thereof.

2284 (l) Wherever the term "Commissioner of Environmental Protection"
2285 is used or referred to in any public or special act of 2011, or in any
2286 section of the general statutes which is amended in 2011,
2287 "Commissioner of Energy and Environmental Protection" shall be
2288 substituted in lieu thereof.

2289 (m) The Legislative Commissioners' Office shall, in codifying the
2290 provisions of this section, make such conforming, technical,
2291 grammatical and punctuation changes as are necessary to carry out the
2292 purposes of this section.

2293 Sec. 50. Subsection (b) of section 22a-6b of the general statutes is
2294 repealed and the following is substituted in lieu thereof (*Effective from*
2295 *passage*):

2296 (b) In adopting regulations regarding any schedule or methods
2297 prescribed by this section, the commissioner shall consider:

2298 (1) The amount or ranges of amounts of assessment necessary to
2299 insure immediate and continued compliance;

2300 (2) The character and degree of impact of the violation on the
2301 natural resources of the state, especially any rare or unique natural
2302 phenomena;

2303 (3) The conduct of the person incurring the civil penalty in taking all
2304 feasible steps or procedures necessary or appropriate to comply or to
2305 correct the violation;

2306 (4) Any prior violations by such person of statutes, regulations,
2307 orders or permits administered, adopted or issued by the
2308 commissioner;

- 2309 (5) The economic and financial conditions of such person;
- 2310 (6) The economic benefit which such person derived as a result of
2311 the violation;
- 2312 (7) The character and degree of injury to, or interference with, public
2313 health, safety or welfare which is caused or threatened to be caused by
2314 such violation;
- 2315 (8) The character and degree of injury or impairment to, or
2316 interference with, reasonable use of property which is caused or
2317 threatened to be caused by such violation;
- 2318 (9) The character and degree of injury or impairment to, or
2319 interference with, the public trust in the air, water, land and other
2320 natural resources of the state;
- 2321 (10) To the extent consistent with applicable law, any other factors
2322 the commissioner deems appropriate, including voluntary measures
2323 taken by such person to prevent pollution or enhance or preserve
2324 natural resources;
- 2325 (11) In the case of violation of the provisions of subdivision (3) of
2326 subsection (a) of section 22a-135, the apparent seriousness of the
2327 release, occurrence, incident or other circumstance at the time it first
2328 became known to the licensee or any employee of such licensee, the
2329 extent of the delay from the time such licensee or employee had or in
2330 the exercise of reasonable care should have had knowledge of such
2331 release, occurrence, incident or circumstance until its reporting by the
2332 licensee in accordance with this subsection, subsection (a) of this
2333 section and [sections 16-19g and] section 22a-135, and the conduct of
2334 the licensee in taking all necessary steps to prevent future violations of
2335 the provisions of said subdivision.
- 2336 Sec. 51. Subsection (b) of section 51-164n of the general statutes is
2337 repealed and the following is substituted in lieu thereof (*Effective from*
2338 *passage*):

2339 (b) Notwithstanding any provision of the general statutes, any
2340 person who is alleged to have committed (1) a violation under the
2341 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
2342 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
2343 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,
2344 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
2345 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
2346 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
2347 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
2348 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
2349 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
2350 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
2351 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
2352 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
2353 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
2354 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
2355 14-153 or 14-163b, a first violation as specified in subsection (f) of
2356 section 14-164i, section 14-219 as specified in subsection (e) of said
2357 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
2358 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
2359 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)
2360 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-
2361 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of
2362 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,
2363 subsection (a) of section 15-115, section 16-44, [16-256,] 16-256e, 16a-15
2364 or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-
2365 145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or
2366 17b-734, subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39
2367 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105,
2368 19a-107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287,
2369 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340,
2370 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-
2371 324e, 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39,
2372 21-43, 21-47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19,
2373 section 21a-21, subdivision (1) of subsection (b) of section 21a-25,

2374 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-
2375 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section
2376 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
2377 subsection (a) of section 21a-279a, section 22-12b, 22-13, 22-14, 22-15,
2378 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-
2379 39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-
2380 111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-
2381 342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-366,
2382 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of
2383 section 22a-250, subsection (e) of section 22a-256h, section 22a-363, 22a-
2384 381d, 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or
2385 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
2386 subsection (a) of section 25-43, section 25-135, 26-18, 26-19, 26-21, 26-31,
2387 26-40, 26-40a, 26-42, 26-49, 26-54, 26-56, 26-58 or 26-59, subdivision (1)
2388 of subsection (d) of section 26-61, section 26-64, subdivision (1) of
2389 section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-
2390 104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138 or 26-141,
2391 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-
2392 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-232,
2393 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-294,
2394 28-13, 29-6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a, subsection (b),
2395 (d), (e) or (g) of section 29-161q, section 29-161y or 29-161z, subdivision
2396 (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of
2397 section 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-
2398 10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-
2399 32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52,
2400 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-
2401 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-
2402 273, section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-
2403 230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of
2404 section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-
2405 8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-
2406 302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-450,
2407 or (2) a violation under the provisions of chapter 268, or (3) a violation
2408 of any regulation adopted in accordance with the provisions of section

2409 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,
 2410 regulation or bylaw of any town, city or borough, except violations of
 2411 building codes and the health code, for which the penalty exceeds
 2412 ninety dollars but does not exceed two hundred fifty dollars, unless
 2413 such town, city or borough has established a payment and hearing
 2414 procedure for such violation pursuant to section 7-152c, shall follow
 2415 the procedures set forth in this section.

2416 Sec. 52. Sections 16-19g, 16-19m to 16-19q, inclusive, 16-19u to 16-
 2417 19w, inclusive, 16-19aa, 16-19cc, 16-19qq, 16-19ss, 16-240 to 16-242,
 2418 inclusive, 16-244a, 16-244k, 16-256 and 16a-37v of the general statutes
 2419 are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	16-1(a)(25)
Sec. 2	<i>from passage</i>	16-8
Sec. 3	<i>from passage</i>	16-19hh
Sec. 4	<i>from passage</i>	16-50j(h)
Sec. 5	<i>from passage</i>	16-50bb(b)
Sec. 6	<i>from passage</i>	16-228
Sec. 7	<i>from passage</i>	16-243e
Sec. 8	<i>from passage</i>	16-243l
Sec. 9	<i>from passage</i>	16-244c
Sec. 10	<i>from passage</i>	16-244d
Sec. 11	<i>from passage</i>	16-245e(a)(20)
Sec. 12	<i>from passage</i>	16-245f(b)
Sec. 13	<i>from passage</i>	16-245m(d)(2)
Sec. 14	<i>from passage</i>	16-247a
Sec. 15	<i>from passage</i>	16-247i
Sec. 16	<i>from passage</i>	16-247k
Sec. 17	<i>from passage</i>	16-254o(i)
Sec. 18	<i>from passage</i>	16-256i(e)
Sec. 19	<i>from passage</i>	16-256i(f)
Sec. 20	<i>from passage</i>	16-280c
Sec. 21	<i>from passage</i>	16-331a
Sec. 22	<i>from passage</i>	16-333k
Sec. 23	<i>from passage</i>	16-346
Sec. 24	<i>from passage</i>	16-350

Sec. 25	<i>from passage</i>	16-351
Sec. 26	<i>from passage</i>	16-354
Sec. 27	<i>from passage</i>	16a-46e(c)
Sec. 28	<i>from passage</i>	22-11e
Sec. 29	<i>from passage</i>	4b-1c(b)
Sec. 30	<i>from passage</i>	16-1(a)(30)
Sec. 31	<i>from passage</i>	16-1(a)(41)
Sec. 32	<i>from passage</i>	16-19kk
Sec. 33	<i>from passage</i>	16-50k(a)
Sec. 34	<i>from passage</i>	16-243m(k)
Sec. 35	<i>from passage</i>	16-243p(a)
Sec. 36	<i>from passage</i>	16-243r
Sec. 37	<i>from passage</i>	16-244e(b)
Sec. 38	<i>from passage</i>	16-244l
Sec. 39	<i>from passage</i>	16-244r(d)
Sec. 40	<i>from passage</i>	16-244t(d)
Sec. 41	<i>from passage</i>	16-244v(c)
Sec. 42	<i>from passage</i>	16-245(k)
Sec. 43	<i>from passage</i>	16-245d(a)
Sec. 44	<i>from passage</i>	16-245l(a)
Sec. 45	<i>from passage</i>	16-245p(b)
Sec. 46	<i>from passage</i>	16-245x(c)
Sec. 47	<i>from passage</i>	16-245ff(b)
Sec. 48	<i>from passage</i>	16a-47a(b)
Sec. 49	<i>from passage</i>	22a-2d
Sec. 50	<i>from passage</i>	22a-6b(b)
Sec. 51	<i>from passage</i>	51-164n(b)
Sec. 52	<i>from passage</i>	Repealer section

ET *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which makes minor and technical changes to the energy and utility statutes, has no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis

sSB 950

***AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO
AND REPEAL OF OBSOLETE PROVISIONS OF ENERGY AND
TECHNOLOGY STATUTES.***

SUMMARY:

This bill makes minor and technical changes in the energy and utility statutes.

EFFECTIVE DATE:

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/14/2013)